

# THE

MAY 15 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

No. 77-C-526-C

THE MARINA LTD.,  
Defendant.

The Court has for consideration the Report and Recommendation of the Magistrate filed April 24, 1986 in which the Magistrate recommended that Plaintiff's Application for Attorney's Fees be granted in the amount of \$62,205.00. No exceptions or objections have been filed and the time for filing such exceptions or objections has expired.

After careful consideration of the record and the issues, the Court has concluded that the Report and Recommendation of the Magistrate should be and hereby is affirmed.

It is therefore Ordered that Plaintiff's Application for Attorney's Fees be and is hereby granted in the amount of \$62,205.00.

It is so Ordered this 15<sup>th</sup> day of May, 1986.

H. DALE COOK  
CHIEF JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

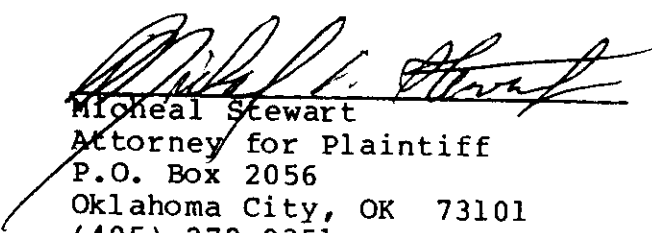
MAY 15 1986

ALL AMERICAN INSURANCE, CO., )  
 )  
Plaintiff, )  
vs. )  
 )  
DAVID L. BURNS, et al., )  
 )  
Defendants. )

Case No. 85-C-82 JACOB C. SILVER, CLERK  
U.S. DISTRICT COURT

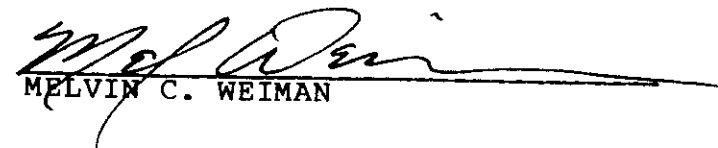
DISMISSAL WITHOUT PREJUDICE

COMES NOW the Plaintiff, All American Insurance Company, and hereby Dismisses Without Prejudice this cause of action against the Defendant, George Denny, only and all other defendants shall remain pursuant to Plaintiff's complaint herein.

  
Michael Stewart  
Attorney for Plaintiff  
P.O. Box 2056  
Oklahoma City, OK 73101  
(405)-272-9351

CERTIFICATE OF MAILING

I, MELVIN C. WEIMAN, hereby certify that on the 13th day of May, 1986, I mailed a true and correct copy of the above and foregoing Dismissal Without Prejudice with proper postage thereon fully prepaid to: Roger R. Williams, 1605 S. Denver, Tulsa, OK 74119; Dan Wagner, 233 W. 11th, Tulsa, OK 74119; Richard Gibbon, 1611 S. Harvard, Tulsa, OK 74112; Robert McCormick, Suite 100, 113 W. Dawes, Bixby, OK 74008, and Jim W. Lee, 10444 Greenbriar Place, Oklahoma City, OK 73159

  
MELVIN C. WEIMAN

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY 15 1986

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BILLIE L. COX, a/k/a BILLIE  
COX; JAY MEMORIAL HOSPITAL;  
and VINITA FINANCE COMPANY,  
INC.,

Defendants.

CIVIL ACTION NO. 85-C-718-E

JUDGMENT OF FORECLOSURE

This matter comes on for consideration this 15<sup>th</sup> day  
of May, 1986. The Plaintiff appears by Layn R.  
Phillips, United States Attorney for the Northern District of  
Oklahoma, through Nancy Nesbitt Blevins, Assistant United States  
Attorney; the Defendants, Billie L. Cox, a/k/a Billie Cox, Jay  
Memorial Hospital, and Vinita Finance Company, Inc., appear not,  
but make default.

The Court being fully advised and having examined the  
file herein finds that Defendant, Jay Memorial Hospital,  
was served with Summons and Complaint on August 29, 1985; and  
that Defendant, Vinita Finance Company, Inc., acknowledged  
receipt of Summons and Complaint on August 5, 1985.

The Court further finds that the Defendant, Billie L.  
Cox, a/k/a Billie Cox, was served by publishing notice of this  
action in the Delaware County Journal, a newspaper of general  
circulation in Delaware County, Oklahoma, once a week for six (6)  
consecutive weeks beginning March 6, 1986, and continuing to  
April 10, 1986, as more fully appears from the verified proof of

publication duly filed herein; and that this action is one in which service by publication is authorized by 12 O.S. Section 2004(C)(3)(c). Since counsel for the Plaintiff does not know and with due diligence cannot ascertain the whereabouts of the Defendant, Billie L. Cox, a/k/a Billie Cox, and service cannot be made upon said Defendant within the Northern Judicial District of Oklahoma or the State of Oklahoma by any other method, or upon said Defendant without the Northern Judicial District of Oklahoma or the State of Oklahoma by any other method, as more fully appears from the evidentiary affidavit of a bonded abstractor filed herein with respect to the last known address of the Defendant, Billie L. Cox, a/k/a Billie Cox. The Court conducted an inquiry into the sufficiency of the service by publication to comply with due process of law and based upon the evidence presented together with affidavit and documentary evidence finds that the Plaintiff, United States of America, acting on behalf of the Farmers Home Administration, and its attorneys, Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Nancy Nesbitt Blevins, Assistant United States Attorney, fully exercised due diligence in ascertaining the true name and identity of the party served by publication with respect to her present or last known place of residence and/or mailing address. The Court accordingly approves and confirms that the service by publication is sufficient to confer jurisdiction upon this Court to enter the relief sought by the Plaintiff, both as the subject matter and the Defendant served by publication.

It appears that the Defendants, Billie L. Cox, a/k/a Billie Cox, Jay Memorial Hospital, and Vinita Finance Company, Inc., have failed to answer and their default has therefore been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a certain promissory note and for foreclosure of a real estate mortgage securing said promissory note upon the following described real property located within the Northern Judicial District of Oklahoma:

Lot 4, Block 9, East Side Addition to the Town of Jay, Oklahoma, according to the official plat thereof, Delaware County, Oklahoma.

That on June 26, 1970, Carmon A. Cox and Elsie Cox executed and delivered to the United States of America, acting through the Farmers Home Administration, their promissory note in the amount of \$10,960.00, payable in annual installments, with interest thereon at the rate of 6-1/4 percent per annum.

That as security for the payment of the above-described note, Carmon A. Cox and Elsie Cox executed and delivered to the United States of America, acting through the Farmers Home Administration, a real estate mortgage dated June 26, 1970, covering the above-described property. Said mortgage was recorded in Book 276, Page 597, in the records of Delaware County, Oklahoma.

That on August 29, 1971, Larry E. Starr and Joan L. Starr executed and delivered to the United States of America, acting through the Farmers Home Administration, an Assumption Agreement, whereby they assumed liability for and agreed to pay

the note and mortgage described above, at the adjusted interest rate of 7-1/4 percent per annum.

That on July 31, 1973, Billie L. Cox and Carmon A. Cox executed and delivered to the United States of America, acting through the Farmers Home Administration, an Assumption Agreement, whereby they assumed liability for and agreed to pay the note and mortgage described above, at the adjusted interest rate of 7-1/4 percent per annum.

That on April 30, 1984, the United States of America, acting through the Farmers Home Administration, released Carmen A. Cox from personal liability regarding the promissory note and real estate mortgage executed June 26, 1970. Carmen A. Cox is one and the same person as Carmon A. Cox.

That on August 29, 1972, the United States of America, acting through the Farmers Home Administration, also released Elsie Cox Underwood from personal liability regarding the promissory note and real estate mortgage executed June 26, 1970.

The Court further finds that the Defendant, Billie L. Cox, a/k/a Billie Cox, made default under the terms of the aforesaid promissory note and mortgage by reason of her failure to make the annual installments due thereon, which default has continued, and that by reason thereof the Defendant, Billie L. Cox, a/k/a Billie Cox, is indebted to the Plaintiff in the principal sum of \$11,103.63, plus accrued interest of \$2,281.28 as of May 28, 1985, plus interest thereafter at the rate of \$2.2055 per day until judgment, plus interest thereafter at the legal rate until fully paid, and the costs of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against Defendant, Billie L. Cox, a/k/a Billie Cox, in the principal sum of \$11,103.63 plus accrued interest of \$2,281.28 as of May 28, 1985, plus interest thereafter at the rate of \$2.2055 per day until judgment, plus interest thereafter at the current legal rate of 6.56 percent per annum until paid, plus the costs of this action accrued and accruing.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of said Defendant, Billie L. Cox, a/k/a Billie Cox, to satisfy the money judgment of the Plaintiff herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property involved herein and apply the proceeds of the sale as follows:

First:

In payment of the costs of this action accrued and and accruing incurred by the Plaintiff, including the costs of sale of said real property;

Second:

In payment of the judgment rendered herein in favor of the Plaintiff.

The surplus from said sale, if any, shall be deposited with the Clerk of the Court to await further Order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of the above-described real property, under

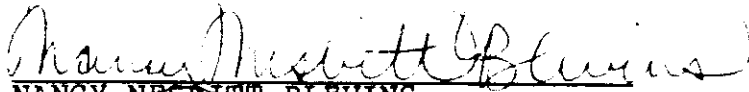
and by virtue of this judgment and decree, all of the Defendants and all persons claiming under them since the filing of the Complaint, be and they are forever barred and foreclosed of any right, title, interest or claim in or to the subject real property or any part thereof.

s/ H. DALE COOK

for s/ JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

APPROVED:

LAYN R. PHILLIPS  
United States Attorney

  
NANCY NESBITT BLEVINS  
Assistant United States Attorney



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY 15 1986

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

BERTRAM YACHT, a Division  
of Whittaker Corporation,

Plaintiff,

vs.

No. 85-C-138-E

PORT CARLOS, INC., an  
Oklahoma corporation,

Defendant.

JUDGMENT


This action came on for trial before the Court, Honorable James O. Ellison, District Judge, presiding, and the issues having been duly tried and a decision having been duly rendered,

IT IS THEREFORE ORDERED AND ADJUDGED that the Plaintiff recover judgment against Defendant on the August 31, 1984, agreement in the amount of \$24,809.72, pre-judgment interest at a rate of 15%, post-judgment interest at a rate of 6.56% and costs;

IT IS FURTHER ORDERED that the Defendant recover judgment against Plaintiff on its counterclaim for warranty work and labor in the amount of \$10,000.00, post-judgment interest at a rate of 6.56% and costs.

IT IS FURTHER ORDERED that the parties submit their applications for attorney's fees no later than ten (10) days from the date of entry of this judgment.

DATED at Tulsa, Oklahoma this 14<sup>th</sup> day of May, 1986.

  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY 15 1986

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD L. PARKS,

Defendant.

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

CIVIL ACTION NO. 86-C-259-E

ORDER OF DISMISSAL

Now on this 14<sup>th</sup> day of May, 1986, it appears that the Defendant in the captioned case has not been located within the Northern District of Oklahoma, and therefore attempts to serve him have been unsuccessful.

IT IS THEREFORE ORDERED that the Complaint against Defendant, Richard L. Parks, be and is dismissed without prejudice.

ST. JAMES C. HILSON

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

GENERAL ELECTRIC COMPANY,

Plaintiff,

-vs-

W. M. SMITH ELECTRIC COMPANY OF OKLAHOMA,  
INC., an Oklahoma corporation; W. M. SMITH  
ELECTRIC COMPANY, a Texas corporation;  
POWER ELECTRIC COMPANY, INC., a Mississi-  
ppi corporation; EVANS ELECTRIC, INC., an Okla-  
homa corporation; MID AMERICA'S PROCESSING  
SERVICES, INC., an Oklahoma corporation;  
RELIANCE ELECTRIC COMPANY, a Delaware corpora-  
tion; CARL PONS ELECTRIC MOTOR SERVICES, INC.,  
a Texas corporation; ALLEN M. GRAYSON, JR.,  
ALLEN M. GRAYSON, III, LYNN WHITEFIELD, TERRY  
RHINE, and BRIAN JACOBS,

Defendants.

No. 83 C 1069 E

**FILED**

MAY 15 1986

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

PERMANENT INJUNCTION

On this 14th day of May, 1986, the Joint Application for Permanent Injunction of the plaintiff, General Electric Company ("General Electric"), and the defendant, Brian Jacobs ("Jacobs") comes on for hearing. In their Joint Application for Permanent Injunction, General Electric and Jacobs have stipulated and agreed that Jacobs should be permanently enjoined from using any proprietary technical or business information or trade secrets concerning large motors and generators which may have been received from General Electric by Jacobs, as a former employee of W. M. Smith Electric Company of Oklahoma, Inc., or Reliance Electric Company, and that Jacobs be further permanently enjoined from disclosing to third parties any proprietary technical or business information or trade secrets which may have been received from General Electric.

Jacobs denies he has or has had in his possession any proprietary technical or business information or trade secrets relating to rewinding or reworking large motors and generators belonging to General Electric.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant, Brian Jacobs, be and he is hereby permanently enjoined from using any proprietary technical or business information or trade secrets which may have been received from General Electric relating to rewinding or reworking large motors and generators during his employment by W. M. Smith Electric Company of Oklahoma, Inc., or Reliance Electric Company.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant, Brian Jacobs, be and he is hereby permanently enjoined from disclosing to third parties any proprietary technical or business information or trade secrets relating to rewinding and reworking large motors and generators which may have been received from General Electric during his employment by W. M. Smith Electric Company of Oklahoma, Inc., or Reliance Electric Company.

ST JAMES O. ELLISON

FOR HONORABLE JAMES O. ELLISON  
JUDGE OF THE UNITED STATES DISTRICT  
COURT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA

APPROVED AS TO FORM AND CONTENT

By \_\_\_\_\_  
James W. Tilly  
OBA No. 9019  
ROSENSTEIN, FIST & RINGOLD

Attorneys for General  
Electric Company

By \_\_\_\_\_  
R. James Unruh  
OBA No. 9159  
UNRUH & LEITER

Attorneys for Brian Jacobs

**FILED**

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA MAY 15 1986

EMPIRE PLUMBING SUPPLY, INC.,  
an Oklahoma corporation,

Plaintiff,

vs.

MILLER-STAUCH CONSTRUCTION CO.,  
INC., a foreign corporation,  
and UNITED STATES FIDELITY AND  
GUARANTY COMPANY, a Maryland  
corporation,

Defendants.

vs.

GREENWOOD MECHANICAL, INC., a  
Missouri corporation, a/k/a  
GREENWOOD PLUMBING,

Defendant.

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

No. 84-C-967-E

ORDER DISMISSING DEFENDANTS, MILLER-STAUCH  
CONSTRUCTION CO., INC., AND UNITED STATES  
FIDELITY AND GUARANTY COMPANY, WITH PREJUDICE

Upon application of plaintiff, Empire Plumbing Supply, Inc., to dismiss this action with prejudice against the defendants, Miller-Stauch Construction Co., Inc. and United States Fidelity and Guaranty Company, the Court finds that said parties have, by compromise, settled their claims and that the cause of action heretofore asserted by Empire Plumbing Supply, Inc. against the defendants, Miller-Stauch Construction Co., Inc. and United States Fidelity and Guaranty Company, are now moot and this action should, therefore, be dismissed with prejudice as to the said defendants.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that this cause be and the same is hereby and by these presents dismissed with prejudice as to the defendants, Miller-Stauch Construction Co., Inc. and United States Fidelity and Guaranty Company, and they are released and discharged to go hence without further liability in this cause.

Dated this 14<sup>th</sup> day of May, 1986.

JAMES C. ELISON

UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

151 DAVID H. SANDERS  
Attorney for Plaintiff.

151 DAVID M. THORNTON  
Attorney for Defendant.

Entered

FILED

MAY 14 1986

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

FRANKLIN DELANO THOMAS

Petitioner,

vs.

MACK A. ALFORD, et al.,

Respondents.

No. 83-C-878-C

O R D E R

The Court has for consideration the Findings and Recommendations of the Magistrate, filed on January 30, 1986, in which the Magistrate recommends that the Petition for Writ of Habeas Corpus be denied.

After careful consideration of the record, the issues presented by the Petition for Writ of Habeas Corpus, the Magistrate's Findings and Recommendations, and Mr. Thomas' objections thereto, the Court concludes that the Findings and Recommendations of the Magistrate should be and hereby are affirmed and adopted as the Findings and Conclusions of this Court.

Therefore, the Petition for Writ of Habeas Corpus is denied, and the case is dismissed.

IT IS SO ORDERED this 13<sup>th</sup> day of May, 1986.

  
H. DALE COOK

Chief Judge, U. S. District Court

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 14 1986

VERNON D. BARNES and BARBARA D. )  
BARNES, husband and wife, )  
 )  
 . Plaintiffs, )

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

vs. )

Case No. <sup>84</sup>85-C-836-C

)  
VERN STOUT, d/b/a VERN STOUT'S )  
AUTOS, a/k/a VERN STOUT'S MOTOR )  
CO., DON MILLER, d/b/a DON )  
MILLER AUTO SALES, and DOES I-X, )  
 )  
Defendants. )

JOURNAL ENTRY OF JUDGMENT

THIS CAUSE came on to be heard this 1st day of May, 1986, pursuant to Plaintiffs' Motion for Default Judgment; the Plaintiffs being present by their attorneys, Morris and Morris by William A. Bowles; the Defendant VERN STOUT failed to appear. The Court, being fully advised, find that the Plaintiffs should be awarded judgment against the Defendant VERN STOUT in the sum of \$9,125.00.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiffs, VERNON D. BARNES and BARBARA D. BARNES, have and recover of the said Defendant, VERN STOUT, d/b/a VERN STOUT'S AUTOS, a/k/a VERN STOUT'S MOTOR CO., the sum of Nine Thousand, One Hundred Twenty-five and 00/100 Dollars (\$9,125.00) with interest thereon at the rate of twelve percent (12%) per annum, from the 20th day of June, 1983, for all of which let execution issue.

(Signed) H. Dale Cook  
UNITED STATES DISTRICT JUDGE



Entered

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 14 1986

STEVAN N. BROWN,

Plaintiff,

vs.

INTERNAL REVENUE SERVICE,

Defendant.

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

No. 85-C-625-C

J U D G M E N T

This matter came on before the Court on defendant's motion for summary judgment. The issues having been duly considered and a decision having been duly rendered in accordance with the Order filed simultaneously herein,

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that summary judgment be hereby entered for defendant as against plaintiff, plaintiff to take nothing by way of his complaint.

IT IS SO ORDERED this 14th day of May, 1986.

  
H. DALE COOK

Chief Judge, U. S. District Court

Entered

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 14 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

STEVAN N. BROWN,

Plaintiff,

vs.

INTERNAL REVENUE SERVICE,

Defendant.

No. 85-C-625-C

O R D E R

Now before the Court for its consideration is the motion of defendant for summary judgment, said motion filed herein on November 15, 1985. The plaintiff's having responded and the defendant's having submitted requested in camera materials, the matter is ready for this Court's consideration.

Plaintiff filed this action pursuant to Title 5 United States Code §552, requesting production of certain Internal Revenue Service agency records concerning plaintiff, which he alleges were improperly withheld from him. By letter of August 27, 1984, plaintiff requested access to documents pertaining to any compilation of information, investigation or research conducted on plaintiff from 1979 to the date of his request. Defendant responded in a November 30, 1984 letter, stating that two documents, "a memo from District Counsel and a Reviewer's Report relating to a summons prepared in the case," were denied for the reason that sections 6103(b)(2) and (e)(7) of the

Internal Revenue Code prohibit disclosure of such material. In the alternative, defendant asserted that if the Freedom of Information Act were applicable, its provisions would also deny disclosure as an "inter-agency and intra-agency memorandum or letter."

Plaintiff exhausted his administrative remedies and claims entitlement to inspect and copy the two withheld documents.

On August 7, 1985, defendant released the "Reviewer's Report" requested by plaintiff, leaving only the release of the memo from the District Counsel, dated July 27, 1985, at issue. Said memo was submitted in camera to the Court for its inspection.


The memo, a two-page document from the District Counsel, Oklahoma City Office of the Internal Revenue Service to the Chief, Special Procedures Staff, Oklahoma City Office, Internal Revenue Service, reflects recommendations, opinions and the analysis involved in the agency's deliberative process, regarding what action should be taken in connection with a summons issued to plaintiff. It expresses a recommendation of the subordinate District Counsel to the Chief, in the manner of an attorney's legal response to a question from a client. The memo discusses alternatives to litigation and the likely outcome of any litigation.

As such, the memo is exempt from disclosure. Exemption 5 of the FOIA embodies privileges against discovery of attorney-client and work-product privileges, such as deliberative or policymaking processes including predecisional legal research, which the memo

at issue clearly is. NLRB v. Sears, Roebuck & Co., 421 U.S. 132 (1975); E.P.A. v. Mink, 410 U.S. 73 (1973). The memo is also exempt from disclosure by reason of its being predecisional, deliberative process material consisting of opinions or recommendations. LSB Industries, Inc. v. C.I.R., 556 F.Supp. 40 (W.D.Okla. 1982).

By reason of the foregoing, it is Ordered that the motion of defendant for summary judgment should be and hereby is granted.

IT IS SO ORDERED this 14<sup>th</sup> day of May, 1986.

  
H. DALE COOK  
Chief Judge, U. S. District Court

Entered

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 14 1986

98

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

MARVIN RALPH "RUSTY" HALL, )  
 )  
Petitioner, )  
 )  
vs. )  
 )  
UNITED STATES OF AMERICA, )  
 )  
Respondent. )

No. 85-C-435-C  
82-CR-87-01-C ✓


O R D E R

The Court has for consideration the Findings and Recommendations of the Magistrate, filed on April 17, 1986, in which the Magistrate recommended that the Motion of Mr. Hall to Vacate, Set Aside or Correct Sentence be denied.

After careful consideration of the record, the issues presented by the motion, the Magistrate's Findings and Recommendations, and Mr. Hall's objections thereto, the Court concludes that the Findings and Recommendations of the Magistrate should be and hereby are affirmed and adopted as the Findings and Conclusions of this Court.

It is therefore Ordered that Petitioner's Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C. §2255 be and is hereby denied.

IT IS SO ORDERED this 13<sup>th</sup> day of May, 1986.

  
H. DALE COOK  
Chief Judge, U. S. District Court

Entered

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 14 1986

94

WILLIAM HENRY SANDERS,  
Petitioner,  
v.  
EASTERN STATE HOSPITAL,  
Respondent.

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

No. 85-C-913-C ✓


O R D E R

The Court has for consideration the Findings and Recommendations of the Magistrate filed on April 24, 1986 in which the Magistrate recommends that the Petition for Writ of Habeas Corpus be denied. No exceptions or objections have been filed and the time for filing such exceptions or objections has expired.

After careful consideration of the record and the issues presented by the Petition for Writ of Habeas Corpus, the Court has concluded that the Findings and Recommendations of the Magistrate should be and hereby are affirmed and adopted as the Findings and Conclusions of this Court.

It is therefore Ordered that the Petition for Writ of Habeas Corpus be and is hereby dismissed.

It is so Ordered this 14<sup>th</sup> day of May, 1986.

  
H. DALE COOK  
CHIEF JUDGE

2759-030

*Entered*

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 14 1986

JACK C. SILVER, CLERK  
DISTRICT COURT

OIL CAPITAL PRINTING COMPANY,  
INC., an Oklahoma corporation,  
and ROBERT D. NASH,  
  
Plaintiffs,  
  
vs.  
  
UNITED STATES OF AMERICA,  
  
Defendant.

Civil No. 86-C-114-C

ADMINISTRATIVE CLOSING ORDER

The parties having filed a Joint Motion for Continuance, it is hereby ordered that the Clerk administratively terminate this action in his records, without prejudice to the rights of the parties to reopen the proceedings for good cause shown for the entry of any stipulation or order, or for any other purpose required to obtain a final determination of the litigation.

If, within 60 days of a final adjudication of the Tax Court proceedings in Caughlin vs. C.I.R., Docket No. 41628-85 (filed November 15, 1985), the parties have not reopened for the purpose of obtaining a final determination herein, this action shall be deemed dismissed without prejudice.

IT IS SO ORDERED this 14 day of May, 1986.

(Signed) H. Dale Cook

UNITED STATES DISTRICT JUDGE

MISC21/pl:ACO

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

ALBERT STEKOLL, d/b/a ALBERT STEKOLL  
OIL COMPANY, Debtor In Possession,

Plaintiff,

-VS-

WILLIAM G. GREEN; et al.,

Defendants.

No. 86-C-89-E

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

MAY 13 1986

FILED

NOTICE OF DISMISSAL WITHOUT PREJUDICE

COMES NOW the Plaintiff, ALBERT STEKOLL, d/b/a ALBERT STEKOLL OIL COMPANY,  
by and through his attorney, Mitchell E. Shamas, and hereby dismisses the above styled  
cause, without prejudice.

ALBERT STEKOLL d/b/a ALBERT STEKOLL  
OIL COMPANY

By:

Mitchell E. Shamas

Mitchell E. Shamas, OBA #8113  
Attorney for Plaintiff  
P. O. Box 896  
Okmulgee, OK 74447  
(918) 756-7715



*Entered*

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY 9 - 1986 *af*

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

EDSEL F. EUBANKS,

Plaintiff,

v.

SECRETARY OF HEALTH AND  
HUMAN SERVICES,

Defendant.

No. 85-C-622-B ✓

O R D E R

The Court has for consideration the Findings and Recommendations of the Magistrate filed on April 18, in which it is recommended that this case be remanded to the Secretary for further administrative proceedings. No exceptions or objections have been filed and the time for filing such exceptions or objections has expired.

After careful consideration of the matters presented to it, the Court has concluded that the Findings and Recommendations of the Magistrate should be and hereby are affirmed.

It is hereby Ordered that this case be remanded to the Secretary for further proceedings consonant with the Findings and Recommendations of the Magistrate.

Dated this 9<sup>th</sup> day of May, 1986.

*Thomas R. Brett*  
THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

*Entered*

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY 9 - 1986

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

JAMES W. TURPIN,

Plaintiff,

v.

MARGARET M. HECKLER, Secretary  
of Health & Human Services,

Defendant.

No. 85-C-259-B

ORDER

The Court has for consideration the Findings and Recommendations of the Magistrate filed April 18, 1986 in which the Magistrate recommended that the decision of the Secretary be affirmed. No exceptions or objections have been filed and the time for filing such exceptions or objections has expired.

After careful consideration of the record and the issues, the Court has concluded that the Findings and Recommendations of the Magistrate should be and hereby are affirmed and adopted by the Court.

It is therefore Ordered that the decision of the Secretary denying Plaintiff's application for disability insurance benefits be and is hereby affirmed.

Dated this 9<sup>th</sup> day of May, 1986.

*Thomas R. Brett*  
THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY 9 1986

WILLIAM E. BROCK, Secretary of Labor, )  
United States Department of Labor, )

Plaintiff, )

v. )

BURLESON PROPERTIES, INC., )  
ARNOLD D. BURLESON and )  
KATHERINE M. BURLESON, )

Defendants. )

Civil Action

No. 85-C-235-E

**Jack C. Silver, Clerk  
U. S. DISTRICT COURT**

JUDGMENT

The above styled and numbered civil action in equity for injunctive relief under section 17 of the Fair Labor Standards Act of 1938, as amended [29 U.S.C. §§ 201-219], hereinafter referred to as the Act, was set for trial at 9:30 a.m., June 2, 1986, and for final pretrial conference at 9:00 a.m., April 17, 1986. Robert A. Fitz appeared at the final pretrial conference on April 17, 1986, as the trial attorney for the plaintiff. The attorney for the defendants did not appear at the final pretrial conference on April 17, 1986; and defendants consequently did not present any factual or legal defenses to the evidence that plaintiff presented to the Court in his offer of proof. It is, therefore,

ORDERED, ADJUDGED and DECREED that defendants and their agents, servants, employees and all persons in active concert or participation with them be and they hereby are permanently enjoined and restrained from violating the provisions of sections 15(a)(2) and 15(a)(5) of the Act in any of the following manners:

A. Defendants shall not, contrary to sections 6 and 15(a)(2) of the Act, 29 U.S.C. §§ 206 and 215(a)(2), pay any employee who is engaged in commerce or in the production of goods for commerce, or who is employed in an enterprise engaged in commerce or in the production of goods for commerce, within the meaning of the Act, wages at a rate less than the minimum hourly rates required by section 6 of the Act.

B. Defendants shall not, contrary to sections 7 and 15(a)(2) of the Act, 29 U.S.C. §§ 207 and 215(a)(2) employ any employee in commerce or in the production of goods for commerce, or in an enterprise engaged in commerce or in the production of goods for commerce, within the meaning of the Act, for workweeks longer than forty (40) hours, unless the employee receives compensation for his employment in excess of forty (40) hours at a rate not less than one and one-half times the regular rate at which he is employed.

C. Defendants shall not, contrary to sections 11(c) and 15(a)(5) of the Act, 29 U.S.C. §§ 211(c) and 215(a)(5), fail to make, keep and preserve adequate and accurate records of the persons employed by them, and the wages, hour and other conditions and practices of employment maintained by them as prescribed by regulations issued by the Administrator of the Employment Standards

Administration, United States Department of Labor, [29 C.F.R. Part 516].

It is further ORDERED, ADJUDGED and DECREED that defendants be, and they hereby are, enjoined and restrained from withholding payment of minimum wages and overtime compensation in the total amount of \$179,033.14, together with pre-judgment interest thereon calculated from Tuesday, January 4, 1983, the median date of withholding to the date of entry of judgment at the rate of 16 percent per annum pursuant to 26 U.S.C. § 6621, which amount the Court finds is due under the Act to defendants' employees named in the Summary of Unpaid Wages (11 pages) attached hereto in the amounts indicated for the period of time from Tuesday, January 5, 1982 through Monday, January 4, 1984. To comply with this provision of the judgment, defendants, within ten (10) days from entry of this judgment, shall deliver to the plaintiff a cashier's check payable to "Employment Standards Administration-Labor" in the total amount of this judgment. It is further

ORDERED that plaintiff shall distribute the proceeds thereof to defendants' employees named in the Summary of Unpaid Wages attached hereto in the amounts stated plus pre-judgment interest less appropriate deductions for social security and income taxes. Any net sums which within one year after the payment pursuant to this judgment have not been distributed to such employees, or to their estate, if necessary, because of plaintiff's inability to locate the proper persons, or because of their refusal to accept

such sums, shall be deposited with the Clerk of this Court who shall forthwith deposit such money with the Treasurer of the United States pursuant to 28 U.S.C. § 2041.

It is further ORDERED, that the costs of this action be, and the same hereby are, taxed against defendants for which execution may issue. All other costs, fees and other expenses incurred in connection with any stage of this action shall be borne by the party who incurred them.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 1986.

**S/ JAMES O. ELLISON**

\_\_\_\_\_  
JAMES O. ELLISON  
United States District Judge

Approved as to form only:

\_\_\_\_\_  
DON E. GASAWAY  
Attorney for Defendants.

*Robert A. Fitz*  
\_\_\_\_\_  
ROBERT A. FITZ  
Attorney for Plaintiff.

Case No. 21599

SUMMARY OF UNPAID WAGES  
Page 1 of 7 pages

U.S. Department of Labor  
Employment Standards Administration



Bobby L. Bomer COMPLIANCE OFFICER		4-16-84 DATE		PAYMENT TO BE COMPLETED AND ORIGINAL COPY OF RECEIPT (S) MAILED TO OFFICE DESIGNATED BY _____		
1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE	
BURLESON LAUNDRY	5522 W. Skelly Dr., Tulsa					
Julie Allen	C/O La Quinta Motor Inn 35 N. Sheridan, Rd., Tulsa	4-21-83	5-26-83	1	60.38	
Rose Powers	942 E. 37 Pl. Tulsa, Ok. 74105	9-24-82	12-31-82	1	76.13	
Burleson Motor Inn - 6616 E. Archer, Tulsa				Subtotal	136.51	
Karen Sue Bell	2818 E. 1st. Tulsa, Ok. 74104	2-21-82	10-22-82	1	29.15	
Cecil Don Bradford	3943 S. Rockford Tulsa, Ok. 74105	11-10-83	12-27-83	1	61.20	
Harvey Clapsaddle	529 S. Richmond Tulsa, Ok.	2-19-82	4-16-82	1	22.75	
Edwin Dale Eddleman	739 N. Elizabeth Sapulpa, Ok. 74066	10-12-83	10-26-83	1	17.04	
Patricia Edwards	323 S. Xanthus Tulsa, Ok. 74134	7-30-82	8-13-82	1	25.30	
Debbie Herrington	12522 E. 27th Tulsa, Ok.	2-17-83	4-14-83	1	42.44	
Betty Jane Hickman	1738 E. Marshall Tulsa, OK	8-6-82	9-24-82	1	18.40	
Thelma Hughey	4802 N. Lewis Tulsa, Ok.	2-17-83	5-5-83	1	29.92	
Nellie Amarilla Prater	6616 E. Archer Tulsa, Ok. 74145	11-5-82	12-24-82	1	1,396.96	
Spouse of Nellie Amarilla Prater	6616 E. Archer Tulsa, Ok. 74145	11-5-82	12-24-82	1	1,276.32	
Dean Smith		4-2-83	6-17-83	1	109.38	
Barbara Stucks	6624 E. Latimer Pl. Apt. 36 Tulsa, Ok. 74115	8-30-83	10-26-83	1	18.26	
Myra Faye Weese	2458 N. Pittsburg Tulsa, Ok. 74115	1-8-82	11-5-82	1	294.35	
John Wentzel	1925 S. Olympia Tulsa, Ok.	1-8-82	10-29-82	1	6,845.58	
Spouse of John Wentzel	1925 S. Olympia Tulsa, Ok.	1-8-82	10-29-82	1	6,212.22	
Chris Williams	Rt. 9 Box 145 Claremore, Ok. 74017	6-9-83	7-28-83	1	67.38	
				<b>SUBTOTAL</b>	<b>16,469.65</b>	

Name and address of establishment

Burleson Properties  
4021 S. Harvard  
Tulsa, Ok.

\*Column 4-Code  
FLSA 1  
PCA 2  
SCA 3  
DBRA 4  
CWHSSA 5  
CCPA 7

SUMMARY OF UNPAID WAGES

Page 2 of 7 pages

U.S. Department of Labor

Employment Standards Administration



Bobby L. Bomer COMPLIANCE OFFICER		4-16-84 DATE	PAYMENT TO BE COMPLETED AND ORIGINAL COPY OF RECEIPT (S) MAILED TO OFFICE DESIGNATED BY _____		
1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
	Burleson Properties, Inc. 4021 S. Harvard, Tulsa, Ok.				
Cecil Allen	C/O La Quinta Motor Inn 35 N. Sheridan, Tulsa, Ok.	3-31-83	6-17-83	1	100.47
Hershel Wayne Conrad	6628 S. Florence Tulsa, Ok. 74136	2-12-82	4-16-82	1	30.00
Melodie R. Crockett	5905 E. 30th Tulsa, Ok. 74114	6-2-83	6-9-82	1	39.62
Robert Dean	750 N. Norfolk Tulsa, Ok.	1-22-82	2-12-82	1	201.87
Rick Goff		4-16-82	6-25-82	1	10.88
Jim Hakes		4-21-83	4-28-83	1	16.62
Allen Haley	13206 N. 95 E. Av. Collinsville, Ok. 74021	7-14-83	9-20-83	1	130.00
Margery Hansen	6105 S. 86th E. Av. Tulsa, Ok.	8-31-83	1-4-84	1	331.31
James Morales		6-2-83	6-29-83	1	98.87
Ralph Newcomb	P. O. Box 79259 Tulsa, Ok.	8-13-82	12-13-83	1	537.75
Joy Pterson	4306 S. 102 E. Av. Tulsa, Ok.	4-14-83	6-24-83	1	153.76
Don Pippin		3-5-82	4-23-82	1	27.50
Sandy Pippin		11-5-82	5-12-83	1	72.00
Jim Powers		7-2-82	9-3-82	1	76.38
John Pringle	1059 E. 60th #224 Tulsa, Ok.	4-7-83	5-12-83	1	66.00
Nancy Robertson	4021 S. Harvard Tulsa, Ok.	1-8-82	4-16-82	1	59.12
Lori L. Smith	825 N. Richmond Tulsa, Ok.	1-7-82	6-30-83	1	2,701.83
Jim Vanwinkle	Rt. 3 Box 9M Mounds, Ok.	5-5-83	5-26-83	1	41.12
			SUBTOTAL		4,594.53

Name and address of establishment

TOTAL

Burleson Properties  
4021 S. Harvard  
Tulsa, Ok.

\*Column 4-Code  
FLSA 1  
PCA 2  
SCA 3  
DBRA 4  
CWHSSA 5  
CCPA 7



SUMMARY OF UNPAID WAGES

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U.S. Department of Labor  
Employment Standards Administration



Bobby L. Bomer COMPLIANCE OFFICER		4-16-84 DATE	PAYMENT TO BE COMPLETED AND ORIGINAL COPY OF RECEIPT (S) MAILED TO OFFICE DESIGNATED BY _____		
1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Crystal Motel - 5510 W. Skelly Dr., Tulsa, Ok.					
Thelma Dunn		11-26-82	3-17-83	1	205.56
Karon Gregory	P. O. Box 9474 Tulsa, Ok. 74107	2-17-83	6-9-83	1	3,107.60
Wayne Gregory	P. O. Box 9474 Tulsa, Ok. 74107	2-17-83	6-9-83	1	3,363.96
Alice M. Holt	922 S. Toledo Tulsa, Ok.	7-16-82	9-24-82	1	2,176.68
Spouse of Alice M. Holt	922 S. Toledo Tulsa, Ok.	7-16-82	9-24-82	1	2,010.80
Bill Hughey	4802 N. Lewis Av. Tulsa, Ok. 74130	8-19-83	12-27-83	1	187.25
James Lindsey		5-19-83	6-2-83	1	35.00
Ben Mitchell	6134 S. 45 W. Av. Tulsa, Ok. 74103	7-19-83	7-28-83	1	62.11
Elizabeth Parks	8503 E. 66 Pl. S. #C Tulsa, Ok. 74133	11-12-82	12-31-82	1	1,392.62
Ken Parks	8503 E. 66 Pl. S. #C Tulsa, Ok. 74133	11-12-82	12-31-82	1	1,513.26
Bob Pickron	1519 E. 4th Tulsa, Ok. 74104	1-7-83	2-11-83	1	1,187.28
Irene Pickron	1519 E. 4th Tulsa, Ok. 74104	1-7-83	2-11-83	1	1,096.80
Gerald Sartin	4910 Nassau Cir. Sapulpa, Ok.	1-8-82	6-25-82	1	4,704.68
Debbie Sartin	4910 Nassau Cir. Sapulpa, Ok.	1-8-82	6-25-82	1	4,523.48
Desert Hills Motel, 5220 E. 11th, Tulsa, Ok.				SUBTOTAL	25,567.08
Ron Archambault		9-10-82	11-5-82	1	1,568.88
Spouse of Ron Archambault		9-10-82	11-5-82	1	1,435.86
Paul Barbone	7413 E. 21 Pl. Tulsa, Ok.	3-9-83	4-28-83	1	24.50
Cheryl Beaver	2240 S. 137 E. Av. Tulsa, Ok.	5-5-83	6-2-83	1	37.30
				TOTAL	

Name and address of establishment

Burleson Properties  
4021 S. Harvard  
Tulsa, Oklahoma

\*Column 4-Code  
FLSA 1  
PCA 2  
SCA 3  
DBRA 4  
CWHSSA 5  
CCPA 7

SUMMARY OF UNPAID WAGES

Page 4 of 7 pages

U.S. Department of Labor  
Employment Standards Administration



Bobby L. Bomer COMPLIANCE OFFICER		4-16-84 DATE		PAYMENT TO BE COMPLETED AND ORIGINAL COPY OF RECEIPT (S) MAILED TO OFFICE DESIGNATED BY _____	
1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Phyllis Beaver	2240 S. 137 E. Av. Tulsa, Ok.	5-5-83	6-9-83	1	88.91
Larry Carter		11-5-82	2-17-83	1	43.75
Jim Dodds	C/O James Dodds 464 S. 74 E. Av., Tulsa, Ok.	7-15-83	2-10-84	1	5,413.22
Ruth Ann Dodds	C/O James Dodds 464 S. 74 E. Av., Tulsa, Ok.	7-15-83	2-10-84	1	4,945.74
Maude Findley		11-19-82	2-11-83	1	32.78
David McCulley	C/O Mr. Howard 2517 N. Turk, Joplin, Mo.	5-27-83	7-1-83	1	1,187.28
Julia Howard	C/O Mr. Howard 2517 N. Turk, Joplin, Mo.	5-27-83	7-1-83	1	1,096.80
Doyl Calvin McNeal		1-8-82	9-3-82	1	1,826.76
Joyce McNeal		1-8-82	9-3-82	1	4,169.61
Dennis Nichols	2533 W. McKinley, Phase 174 Fresno, Ca. 93728	11-19-82	5-12-83	1	4,842.50
Joyce Nichols	2533 W. McKinley, Phase 174 Fresno, Ca. 93728	11-19-82	5-12-83	1	4,450.42
Sylvia Tena	5330 Yarmouth #312 Encino, Ca. 91316	5-5-83	9-13-83	1	182.00
Thomas Ward	2217 S. Nogales Tulsa, Ok. 74107	10-29-82	12-17-82	1	31.50
John Whitaker		1-7-83	1-7-83	1	28.00
Oil Capital East Motel - 6143 E. Admiral Pl., Tulsa, Ok.				SUBTOTAL	31,405.21
Joe Cantrell		11-5-82	11-12-82	1	442.25
Spouse of Joe Cantrell		11-5-82	11-12-82	1	412.10
Thelma Dunn		1-8-82	5-26-83	1	385.16
Julia Howard	C/O Mr. Howard 2517 N. Turk Joplin, Mo.	3-23-83	5-5-83	1	1,360.94
Mikay Linley	219 N. Buffalo Skiatook, Ok. 74070	6-11-82	8-13-82	1	2,269.50
				TOTAL	

Name and address of establishment

Burleson Properties  
4021 S. Harvard  
Tulsa, Ok.

\*Column 4-Code  
FLSA 1  
PCA 2  
SCA 3  
DBRA 4  
CWHSSA 5  
CCPA 7

## SUMMARY OF UNPAID WAGES

Page 5 of 7 pages

## U.S. Department of Labor

Employment Standards Administration



Bobby L. Bomer COMPLIANCE OFFICER		4-17-84 DATE	PAYMENT TO BE COMPLETED AND ORIGINAL COPY OF RECEIPT (S) MAILED TO OFFICE DESIGNATED BY _____		
1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates	4. ACTS (See code below)*	5. GROSS AMOUNTS DUE	
Spouse of Mikely Linley	219 N. Buffalo Skiatook, Ok. 74070	6-11-82 8-13-82	1	2,118.70	
Spouse of Richard Dwane Logan		1-8-82 2-5-82	1	1,124.75	
Richard Dwane Logan		1-8-82 2-5-82	1	1,200.15	
David McCulley	C/O Mr. Howard 2517 N. Turk, Joplin, Mo.	3-23-83 5-5-83	1	1,466.50	
Donald Mills	1231 S. Wheeling, Apt. A Tulsa, Ok. 74104	10-26-83 12-27-83	1	2,333.00	
Spouse of Donald Mills	1231 S. Wheeling, Apt. A Tulsa, Ok. 74104	10-26-83 12-27-83	1	2,182.20	
Ester Jean Reese	6143 E. Admiral Pl. Tulsa, Ok. 74115	7-16-82 9-24-82	1	135.40	
Pat Sutton		11-19-82 2-23-83	1	2,770.32	
Spouse of Pat Sutton		11-19-82 2-23-83	1	2,559.20	
Judy Thornton	1015 N. Sheridan Tulsa, Ok.	8-19-83 10-12-83	1	65.63	
Lenora Weeden	5401 E. 12th, Apt. D Tulsa, Ok.	5-12-83 10-12-83	1	4,471.66	
Ray Weeden	5401 E. 12th, Apt. D Tulsa, Ok.	5-12-83 10-12-83	1	4,818.50	
Oil Capital West Motel - 802 W. Skelly Dr., Tulsa, Ok.			SUBTOTAL	30,115.96	
Jaree Henry	835 E. 47 Pl. Tulsa, Ok.	2-24-83 4-14-83	1	1,163.44	
Ray Henry	835 E. 47 Pl. Tulsa, Ok.	2-24-83 4-14-83	1	1,220.24	
Charles Littrell		3-23-83 10-21-83	1	4,056.82	
Rita Littrell		6-16-83 10-21-83	1	3,473.20	
Melanie Long		5-5-83 5-12-83	1	10.50	
Beverly Ogden	604-B N. Beaumont Tulsa, Ok.	9-10-82 12-6-82	1	22.75	
Larry Soard		10-20-83 10-26-83	1	28.00	

Name and address of establishment

TOTAL

Burleson Properties  
4021 S. Harvard  
Tulsa, Oklahoma

\*Column 4-Code  
FLSA 1  
PCA 2  
SCA 3  
DBRA 4  
CWHSSA 5  
CCPA 7

## SUMMARY OF UNPAID WAGES

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U.S. Department of Labor  
Employment Standards Administration

1. NAME		2. ADDRESS		3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Bobby L. Bomer		4-17-84		PAYMENT TO BE COMPLETED AND ORIGINAL COPY OF RECEIPT (S) MAILED TO OFFICE DESIGNATED BY _____			
COMPLIANCE OFFICER		DATE					
Betty Joyce Stribling		730 N. Norwood Tulsa, Ok.		11-4-83	1-3-84	1	1,870.60
Harvey Leroy Stribling		730 N. Norwood Tulsa, Ok.		11-4-83	1-3-84	1	1,720.60
Kenneth K. Taylor		3235 S. 82 E. Av. Tulsa, Ok. 74145		4-28-83	10-5-83	1	104.75
Sapulpa Quality Inn - 1505 New Sapulpa Rd., Sapulpa, Ok.				SUBTOTAL			16,639.62
Sue Aemisegger		1401 E. Bryan Sapulpa, Ok. 74066		8-5-83	11-29-83	1	199.50
Norma Fisher		Rt. 4 Box 455 E Sapulpa, Ok.		10-20-83	12-8-83	1	259.88
Sharon Kincade		P. O. Box 222 Kiefer, Ok. 74041		8-5-83	9-20-83	1	42.58
John McCoy		C/O Margaret McCoy Sapulpa School Dist.		7-20-83	2-21-84	1	4,922.10
Margaret McCoy		Sapulpa School Dist.		7-20-83	2-21-84	1	4,469.70
Royal American Inns - 2901 S. 4th, Chickasha, Ok.				SUBTOTAL			9,893.76
Ruby Farrell		701 N. 12th Chickasha, Ok. 73018		11-16-83	1-3-84	1	42.71
Mary Ladd		Rt. 1 Box 198 Lot 26 Ninnekah, Ok. 73067		7-14-83	7-19-83	1	28.24
Brenda Loomis		1429 Colorado Chickasha, Ok.		9-6-83	10-12-83	1	35.00
Dennis Nichols		2533 W. McKinnley, Phase 174 Fresno, Ca. 93728		5-19-83	11-3-83	1	3,422.79
Joyce Nichols		2533 W. McKinnley, Phase 174 Fresno, Ca. 93728		5-19-83	11-3-83	1	3,106.11
Lloyd Smith		1510 Washington Chickasha, Ok.		9-6-83	11-3-83	1	42.88
Sandman Motel - 34 S. Sheridan, Tulsa, Ok.				Subtotal			6,677.73
Mildred Lowery		414 S. 67th E. Av. Tulsa, Ok. 74112		1-8-82	12-7-83	1	304.43
Patricia Smith		2904 N. Toledo Av. Tulsa, Ok. 74115		12-17-82	1-3-84	1	209.80
				SUBTOTAL			514.23
Name and address of establishment						TOTAL	

Burleson Properties  
4021 S. Harvard  
Tulsa, Oklahoma

\*Column 4-Code  
FLSA 1  
PCA 2  
SCA 3  
DBRA 4  
CWHSSA 5  
CCPA 7

## SUMMARY OF UNPAID WAGES

Page 7 of 7 pages

U.S. Department of Labor

Employment Standards Administration



1. NAME		2. ADDRESS		3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Bobby L. Bomer COMPLIANCE OFFICER		4-17-84 DATE		PAYMENT TO BE COMPLETED AND ORIGINAL COPY OF RECEIPT (S) MAILED TO OFFICE DESIGNATED BY _____			
Westgate Motel - 2700 W. Skelly Dr., Tulsa, Ok.							
Clarence Blevens	C/O Robert Schwan 4848 S. 85 E. A v. Tulsa, Ok.	11-25-83	2-17-84	1	2,732.86		
Joyce Blevens	C/O Robert Schwan 4848 S. 85 E. Av. Tulsa, Ok.	11-25-83	2-17-84	1	2,536.82		
Bill Decordovan		4-21-83	4-21-83	1	328.82		
Ellen Decordovan		4-21-83	4-21-83	1	308.71		
Nell Parks Holloway	Gen. Del. Tulsa, Ok.	5-7-82	7-16-82	1	2,048.75		
Reginald Shawn Holloway	Gen. Del. Tulsa, Ok.	5-7-82	7-16-82	1	2,138.73		
Doug Martin		11-5-82	1-28-83	1	32.38		
<del>DDU S4451</del> CRYSTAL Mary L. McMackin	10759 E. Admiral Pl. #322 Tulsa, Ok. 74116	7-2-82	7-2-82	1	195.11		
Spouse of CRYSTAL Mary L. McMackin	10759 E. Admiral Pl. #322 Tulsa, Ok. 74116	7-2-82	7-2-82	1	190.08		
Joyce McNeal	6111 S. Yorktown, Apt. 2 Tulsa, Ok.	11-5-82	1-28-83	1	1,933.75		
Cecilia Palmer		5-19-83	11-4-83	1	4,860.50		
Charles Palmer		5-19-83	11-4-83	1	5,237.50		
Rogan Rollins		9-10-82	10-15-82	1	1,187.28		
Spouse of Rogan Rollins		9-10-82	10-15-82	1	1,096.80		
Danny Wise		2-11-83	3-31-83	1	1,676.00		
Spouse of Danny Wise		2-11-83	3-31-83	1	1,555.36		
<del>ADPO S4451</del> 028 Charlotte Hill	6111 S. Yorktown, Apt. 2 Tulsa, Ok.	11-5-82	1-28-83	1	1,306.50		
						SUBTOTAL	29,365.95

Name and address of establishment

TOTAL 171,380.23

Burleson Properties  
4021 S. Harvard  
Tulsa, Oklahoma

\*Column 4-Code  
FLSA 1  
PCA 2  
SCA 3  
DBRA 4  
CWHSSA 5  
CCPA 7

## SUMMARY OF UNPAID WAGES

U.S. Department of Labor  
Employment Standards Administration

1. NAME		2. ADDRESS		3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
William H. Smith Jr.		4-17-86		DATE		Page #1 of 4 pages PAYMENT TO BE COMPLETED AND ORIGINAL COPY OF RECEIPT (S) MAILED TO OFFICE DESIGNATED BY _____	
Jenette Allan		P. O. Box 114, McAlester, OK		1-10-83	11-3-83	1	387.25
Vellie Allison		Rt #1 Box 28D, Stuart, OK		9-13-83	10-5-83	1	22.00
Mary Belcher		600 E. Court, McAlester, OK		6-9-83	6-17-83	1	33.85
Susie Bookout				4-28-83	6-9-83	1	38.68
Carmalito Bowles		818 N. Main St. McAlester, OK		6-6-83	10-5-83	1	109.27
Brenda Carol Bowman		Rt #1 Box 302 Bufaula, OK		12-20-83	12-27-83	1	15.91
Sidney Bradley Jr.		1508 NE 16th Terrace, Oklahoma City, OK		4-1-83	5-31-83	1	114.77
Jesse Campbell		1107 N. Osage, Apt "D", Tulsa OK		1-24-83	5-20-83	1	750.91
Patsy Canady		29 Buford Dr. McAlester, OK		2-21-83	4-9-83	1	13.40
Camille Capro		807 Hardy Springs Circle McAlester, Okla.		5-26-83	10-26-83	1	95.28
Bonnie Carroll		515 S 2nd, McAlester, Ok		8-4-83	9-28-83	1	17.17
Gene Casey				11-3-82	2-7-83	1	14.00
Penee Casey		Rt #4, Box 6, McAlester, OK		11-1-82	1-3-84	1	444.55
Peter Cearney				4-21-83	6-17-83	1	33.50
Richard Cook		318 E. Van Buren, McAlester, OK		4-28-83	11-3-83	1	190.35
C. B. Crawford		Rt #1 Box 103 Antlers, OK		8-24-83	9-20-83	1	77.00
Darrell Daniels		1705 S 5th, McAlester, Ok		12-20-82	1-3-84	1	893.43
Paula DeFrang				9-23-83	9-23-83	1	15.91
Brenda Donahoe		821 Hardy Springs Rd, McAlester OK		11-8-82	7-14-83	1	143.59
Sue Dugger		Quinton, Okla		4-9-83	6-30-83	1	15.00
						Sub TOTAL	\$3,425.82

Name and address of establishment

Burleson Property d/b/a  
Ramada Inn  
Highway #69 By-Pass  
McAlester, Okla., 74501

\*Column 4-Code

FLSA	1
PCA	2
SCA	3
DBRA	4
CWISSA	5
CCPA	7

## SUMMARY OF UNPAID WAGES

U.S. Department of Labor  
Employment Standards Administration

1. NAME		2. ADDRESS		3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
James Eplett		517 W. 2nd, McAlester, OK		4-1-83	4-21-83	1	42.75
Amy Evans				11-15-82	3-23-83	1	22.61
Sharon Ezell		Box 293, Krebs, OK		12-20-82	11-3-83	1	90.03
Don Fortune				2-14-83	2-21-83	1	16.00
Jack Gentry		405 W. Choctaw, McAlester, OK		12-20-82	11-3-83	1	424.25
Sue Gonzalés				12-20-82	4-1-83	1	51.36
Shirley Green		P.O.Box 387, Haileyville, OK		12-20-82	1-31-83	1	20.19
George Hamblton		405 W. Choctaw, McAlester, OK		3-21-83	6-24-83	1	83.75
Mary Hamelin		318 E. Van Buren, McAlester, OK		2-21-83	7-14-83	1	132.30
Laura Holder		P.O.Box 23, Tuskahoma, OK		12-20-82	6-24-83	1	47.32
Mary Hughes		P.O.Box 1692, McAlester, OK		1-31-83	8-18-83	1	92.55
Bruce John				2-7-83	3-28-83	1	49.50
Archie Johnson				12-12-83	12-12-83	1	25.96
Joyce Johnson		Box 145, Bufaula, OK		1-24-83	1-3-84	1	690.81
Jaquetta Keith		103 S 12th, McAlester, OK		12-20-82	1-24-83	1	20.00
Brenda Kelly		400 S 13th, McAlester, OK		5-12-83	6-8-83	1	56.11
Loretta Kirby		802 E Ashland Rd, McAlester, OK		12-20-82	11-3-83	1	257.71
Kimberly Lynn Lewsan		Box 69, Krebs, Ok 74554		10-12-83	10-26-83	1	16.19
Tyara Lowe		P.O.Box 1246, McAlester, OK		5-26-83	6-6-83	1	16.33
Gary Martin		222 W. Springs, McAlester, OK		11-1-82	2-21-83	1	19.25
						<b>Sub TOTAL</b>	<b>\$5,636.37</b>

Name and address of establishment

Burleson Property d/b/a  
Ramada Inn  
Highway #69 By-Pass  
McAlester, Okla., 74501

\*Column 4-Code  
FLSA 1  
PCA 2  
SCA 3  
DBRA 4  
CWHSSA 5  
CCPA 7

See Reverse Side for Instructions

Form WH-56  
(Rev. Jan. 1981)

## SUMMARY OF UNPAID WAG

U.S. Department of Labor  
Employment Standards Administration

Page #3 of 4 pages

PAYMENT TO BE COMPLETED AND ORIGINAL COPY  
OF RECEIPT (S) MAILED TO OFFICE DESIGNATED  
BY \_\_\_\_\_

William H. Smith Jr.

4-17-86

COMPLIANCE OFFICER

DATE

1. NAME	2. ADDRESS	3. PERIOD COVERED by Workweek Ending Dates		4. ACTS (See code below)*	5. GROSS AMOUNTS DUE
Paul McCain	114 W. 2nd, Hartshorne, OK	1-17-83	6-17-83	1	63.31
Robert McCullough	McAlester, Okla., Community Treatment Center	3-21-83	4-14-83	1	16.33
Cheryl Merritt	2124 W. 11th, McAlester, OK	4-9-83	5-5-83	1	21.87
Wanda Murphy		4-1-83	4-21-83	1	15.07
Sherie Pierce	45 E. Ottawa, McAlester, OK	3-31-83	10-12-83	1	24.28
Lynn Pierceson		5-5-83	5-26-83	1	29.73
Otis Porter III	422 W. Miami, McAlester, OK	3-28-83	12-20-83	1	393.13
Lou Ramsey	Rt #2, Box 27A, McAlester, OK	12-20-82	6-17-83	1	88.01
Ruth Ranson	1201 E. Choctaw, McAlester, OK	6-6-83	10-20-83	1	91.00
Carlos Rivera		6-24-83	7-14-83	1	92.65
Pich Ychnow	815 E. Pierce, McAlester, OK	11-3-83	11-3-83	1	16.75
David Rollings	PO Box 148, Savanna, OK	11-8-82	1-31-83	1	80.92
Donald Rollings		4-21-83	7-14-83	1	57.79
Shelli Powell	417 E. Locust, McAlester, OK	9-28-83	12-14-83	1	22.50
<del>James Skunk</del>	<del>Rt #3, Shadock Rd, McAlester, OK</del>	<del>3-21-83</del>	<del>3-21-83</del>	<del>1</del>	<del>-0-</del>
Pauline Skidmore	McAlester, Ok, 511 West Park Apt # 121,	11-8-82	1-3-84	1	408.09
Louis Smith	225 E. Crisler, McAlester, OK	3-21-83	6-6-83	1	141.80
Nancy Snow		1-31-83	5-20-83	1	101.73
Carol Stevens	McAlester, Okla., 819 B. Hardy Springs Circle	5-26-83	7-14-83	1	16.88
David Stokes		6-6-83	7-19-83	1	33.08

Sub TOTAL \$7,351.29

Name and address of establishment

Burleson Property d/b/a  
Ramada Inn  
Highway # 69 By-pass  
McAlester, Okla., 74501

\*Column 4-Code

FLSA 1  
PCA 2  
SCA 3  
DBRA 4  
CWHSSA 5  
CCPA 7



**U.S. Department of Labor**  
**Employment Standards Administration**



**PAYMENT TO BE COMPLETED AND ORIGINAL COPY  
OF RECEIPT (S) MAILED TO OFFICE DESIGNATED  
BY \_\_\_\_\_**

4-17-86  
DATE

<b>TOTAL</b>	<b>\$7,652.91</b>
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Burleson Property d/b/a  
Ramada Inn  
Highway #69 By-Pass  
McAlester, Okla., 74501

\*Column 4-Code

FLSA	1
PCA	2
SCA	3
DBRA	4
CWHSSA	5
CCPA	7

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

CARI LYNN FRISBIE by and  
through her father and next of  
kin, Claude Frisbie, and CLAUDE  
FRISBIE,

Plaintiffs,

v.

JAMES A. PRITCHETT; VIRGINIA  
PRITCHETT; PRITCHETT'S CUSTOM  
BOAT DOCKS, INC., an Oklahoma  
corporation; IRENE W. MEDLIN;  
ROY L. MEDLIN, SR.; and ROY L.  
MEDLIN, JR., d/b/a RED 11 PORT  
RESORT,

Defendants.

CASE NO.: 85-C-580-E

**FILED**

APR 23 1986

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

**FILED**  
IN OPEN COURT

MAY 9 1986


Jack C. Silver, Clerk  
U.S. DISTRICT COURT

ORDER OF DISMISSAL WITH PREJUDICE

NOW ON THIS 9<sup>th</sup> day of May, 1986, upon the written application of the parties for a Dismissal with Prejudice of the Complaint and all causes of action, the Court having examined said Application, finds that said parties have entered into an agreed settlement covering all claims of Plaintiff and minor Plaintiff involved in the Complaint and have requested the Court to dismiss said Complaint with prejudice to any future action. The Court being fully advised in the premises finds that the settlement is fair, just and reasonable and in the best interest of the Plaintiff and minor Plaintiff and further finds that said Complaint should be dismissed with prejudice pursuant to said Application.

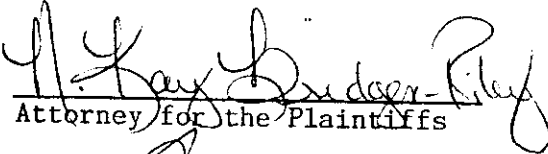
IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that

the Complaint and all causes of action of the Plaintiffs filed herein against the Defendants, be and the same hereby are dismissed with prejudice to any future action.

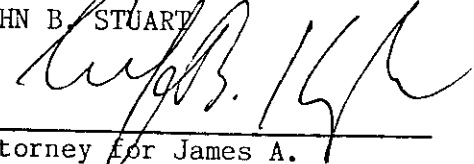
  
\_\_\_\_\_  
JUDGE, DISTRICT COURT OF THE UNITED  
STATES, NORTHERN DISTRICT OF OKLAHOMA

APPROVALS:

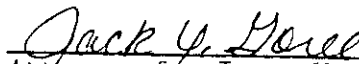
N. KAY BRIDGER-RILEY

  
\_\_\_\_\_  
Attorney for the Plaintiffs

JOHN B. STUART

  
\_\_\_\_\_  
Attorney for James A.  
Pritchett, Virginia Pritchett,  
Pritchett's Custom Boat  
Docks, Inc.

JACK Y. GOREE

  
\_\_\_\_\_  
Attorney for Irene W. Medlin,  
Roy L. Medlin, Sr., and  
Roy L. Medlin, Jr. d/b/a  
Red 11 Port Resort

CERTIFICATE OF MAILING

21<sup>st</sup> I, N. Kay Bridger-Riley, do hereby certify that on this day of April, 1986, a true and correct copy of the above and foregoing instrument was mailed to:

John B. Stuart  
KNIGHT, WAGNER, et al.  
P.O. Box 2635  
Tulsa, OK 74101-2635

Mr. David P. Madden  
5310 E. 31st, Suite 410  
Tulsa, OK 74135

with sufficient postage thereon fully prepaid.

  
N. Kay Bridger-Riley

## United States District Court

FOR THE

NORTHERN DISTRICT OF TEXAS

MAY 9 1986

Jack C. Silver, Clerk  
U. S. DISTRICT COURT  
111-1277-e

CIVIL ACTION FILE NO. CA3-85-2326-T

LIBERTY NATIONAL BANK AND TRUST  
COMPANY OF OKLAHOMA CITY

vs.

JUDGMENT

WILLIAM M. BOORHEN

CERTIFICATION OF JUDGMENT FOR  
REGISTRATION IN ANOTHER DISTRICTI, NANCY HALL DOHERTY, Clerk of the United States District Court for  
the NORTHERN District of TEXAS,do hereby certify the annexed to be a true and correct copy of the original judgment entered in the  
above entitled action on FEBRUARY 20, 1986, as it appears of record in my office,  
and that\* no notice of appeal from the said judgment has been filed in my  
office and the time for appeal commenced to run on February 20, 1986  
upon the entry of the judgment.IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of the said  
Court this 1ST day of MAY, 19 86.NANCY HALL DOHERTY, ClerkBy Mark W. Shomaker *Mark W. Shomaker* Deputy Clerk

\* When no notice of appeal from the judgment has been filed, insert "no notice of appeal from the said judgment has been filed in my office and the time for appeal commenced to run on [insert date] upon the entry of [If no motion of the character described in Rule 73(a) F.R.C.P. was filed, here insert 'the judgment', otherwise describe the nature of the order from the entry of which time for appeal is computed under that rule.] If an appeal was taken, insert "a notice of appeal from the said judgment was filed in my office on [insert date] and the judgment was affirmed by mandate of the Court of Appeals issued [insert date]" or "a notice of appeal from the said judgment was filed in my office on [insert date] and the appeal was dismissed by the [insert 'Court of Appeals' or 'District Court'] on [insert date]", as the case may be.

# FILED

**Jack C. Silver, Clerk  
U. S. DISTRICT COURT**

Plaintiff,

Case No. 84-C-911-E

Defendants.

BE IT THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court to dismiss the complaint of the Plaintiff, Betty A. Meixner

against the Defendant, Nicolet, Inc. only, with prejudice to the future filing of any action herein.

S/ JAMES O. ELLISON,  
JUDGE OF THE DISTRICT COURT

APPROVED AS TO FORM:

SANDERS & CARPENTER

By: Philip McGowan  
PHILIP MCGOWAN  
RICHARD CARPENTER

Attorneys for Defendant,  
Nicolet, Inc.

NICOLET, INC.

By: Philip McGowan  
PHILIP MCGOWAN

Edward O. Moody  
EDWARD O. MOODY

Attorney for Plaintiff,  
Betty A. Meixner

**FILED**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA  
TULSA DIVISION

MAY 8 1986

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

BETTY MEIXNER, ET AL.

PLAINTIFF

VS.

CIVIL ACTION NO. 84-C-911-E

ACandS, INC., ET AL.

DEFENDANTS

O R D E R

Upon motion of the Plaintiff, above cause of action against Defendant John Crane-Houdaille, Inc., is hereby dismissed with prejudice.

IT IS SO ORDERED.

ST. JAMES C. ELISON

JUDGE

DATED: 5-7-86



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

INDIAN COUNTRY, U.S.A., INC., )  
a South Dakota Corporation, and )  
THE MUSCOGEE (CREEK) NATION, )  
a Federally Recognized Indian )  
Tribe, )

Plaintiffs, )

vs. )

No. 85-C-643-E

THE STATE OF OKLAHOMA ex rel. )  
the Oklahoma Tax Commission, )  
and the District Attorney for )  
Tulsa County, )

Defendants. )

and )

THE STATE OF OKLAHOMA ex rel. )  
DAVID MOSS, District Attorney, )

Respondent )  
[Plaintiff], )

vs. )

No. 85-C-658-E

THE MUSCOGEE (CREEK) NATION, )  
a Federally Recognized Indian )  
Tribe, )

Petitioner )  
[Defendant]. )

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

MAY - 8 1986

FILED

AMENDED PERMANENT INJUNCTION

TO: DAVID MOSS, DISTRICT ATTORNEY FOR TULSA COUNTY,  
OKLAHOMA, AND EACH ASSISTANT DISTRICT ATTORNEY, AGENT,  
EMPLOYEE, SERVANT, OR OTHER REPRESENTATIVE OF THE  
DISTRICT ATTORNEY FOR TULSA COUNTY AND ALL PERSONS  
ACTING IN ACTIVE CONCERT WITH YOU OR UNDER YOUR CONTROL.

TO: THE OKLAHOMA TAX COMMISSION, THOSE COMMISSIONERS  
PRESENTLY SERVING OR WHO WILL SERVE IN THE FUTURE, AND  
EACH ATTORNEY, AGENT, EMPLOYEE, SERVANT OR OTHER  
REPRESENTATIVE OF THE OKLAHOMA TAX COMMISSION OR THE  
INDIVIDUAL COMMISSIONERS, AND ALL PERSONS ACTING IN

ACTIVE CONCERT WITH YOU OR UNDER YOUR CONTROL.

On this 8<sup>th</sup> day of May, 1986, pursuant to the Memorandum Opinion and Order of this Court in the above-styled and numbered cause,

IT IS ORDERED that David Moss, District Attorney for Tulsa County, Oklahoma, and each Assistant District Attorney, agent, employee, servant, attorney or other representative of the district attorney for Tulsa County, and all persons acting in active concert with him or under his control be and hereby are permanently enjoined from the following:

1. Enforcing or attempting to enforce any criminal and/or civil prosecutorial authority against the Muscogee (Creek) Nation, the tribal bingo enterprise known as Creek Nation Bingo, and/or the entities, employees or other persons conducting, operating, managing or participating in the activities of the tribal bingo enterprise, including without limitation refraining from and refraining from attempting or threatening to:


- (a) arrest any persons for violation of the Oklahoma bingo laws, Okla. Stat. tit. 12, §§ 995.1 et seq. (1981 & Supp.), at any such game conducted by the Muscogee (Creek) Nation and/or the tribal bingo enterprise on the tribal property located at approximately 1616 East 81st Street, and described as follows:

Beginning at the NW corner of Lot 1 of Section 18, Township 18 North, Range 13 East; thence in a generally southeasterly direction with the so-called meander line forming the West boundary of Lots 1, 5 and 6 to its intersection with the section line between Sections 17 and 18; thence West to the thread of the stream of the Arkansas River; thence up said river with the thread of the stream to a point where it intersects the section line between Sections 18 and 7; thence East to point of beginning, containing 100 acres, more or less, Tulsa County, Oklahoma.

- (b) interfere in any way with the peaceable operation of such games;
- (c) padlock or otherwise attempt to close or impair the operations of the tribal bingo enterprise; and
- (d) confiscate, remove, seize or otherwise interfere with the property and receipts of the tribal bingo enterprise.

IT IS FURTHER ORDERED that the defendant State of Oklahoma ex rel. Oklahoma Tax Commission be and the same is hereby permanently enjoined from enforcing or attempting to enforce its regulatory and taxing authority against the Muscogee (Creek) Nation, the tribal bingo enterprise, and/or the entities, employees or other persons conducting, operating, managing or participating in the activities of the tribal bingo enterprise, by but not limited to the following means:

1. Entering onto the lands of the tribal bingo enterprise;
2. Auditing the books and records of the tribal bingo enterprise;
3. Confiscating, removing, seizing or otherwise interfering with the property and receipts of the tribal bingo enterprise; and
4. Seeking or procuring the civil or criminal prosecution of any person or entity managing, working for or participating in the activities of the tribal bingo enterprise of the Muscogee (Creek) Nation.

  
\_\_\_\_\_  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

**FILED**

MAY 8 1986

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

RACO CAR WASH SYSTEMS, INC.,

Plaintiff,

v.

JOE BLEVINS, dba NO-SPOT  
CAR WASH

Defendant.

Civil Action No.  
86-C-116E

CONSENT DECREE

The parties have advised the Court that they have agreed to the following terms for dismissal of this action:

1. The parties agree that this Court has jurisdiction over the subject matter of this controversy, and venue is proper with this Court.

2. Defendant acknowledges that the Plaintiff's following registered marks are good, valid, and subsisting and are the exclusive property of RACO CAR WASH SYSTEM:

No. 1,222,063                      SPOT-NOT                      Registered 12/28/82

No. 1,356,013                      NO SPOT                      Registered 8/20/85

3. The defendant Joe Blevins shall immediately cease using SPOT-NOT and NO SPOT or any mark phonetically equivalent or otherwise confusingly similar thereto.

4. Defendant shall immediately remove all signs and

destroy all printed material or other tangible items having the express SPOT-NOT or NO SPOT thereon or any other expression confusingly similar to either of these marks.

5. Defendant shall change its name and shall, within ten (10) days after the entrance of this order, serve upon Plaintiff's counsel a photograph of defendant's car wash facilities showing the new name of such facility or facilities. The new name selected by the Defendant shall not employ the terms SPOT-NOT, NO SPOT or any other term confusingly similar thereto.

6. Each party shall bear its own costs and attorneys' fees.

7. In the event of a violation of any term of this agreement, the party alleging such violation shall serve written notice upon the other party. After receiving notice of violation, a party shall have ten (10) days in which to cure said violation.

8. It is agreed that the complaint in this case shall be dismissed without prejudice and that plaintiff has leave to reinstate its complaint if there is a violation of the above-mentioned terms.

9. IT IS HEREBY ORDERED, ADJUDGED AND DECREED that upon the foregoing terms, the complaint in this action is dismissed without prejudice and with leave to reinstate as provided in paragraph 8.

By the Court

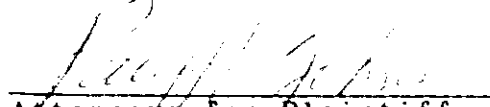
**S/ JAMES O. ELLISON**

Honorable Judge James Ellison  
United States District Judge

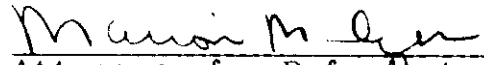
\_\_\_\_\_  
Date

APPROVED AS TO FORM BY:

HEAD, JOHNSON & STEVENSON  
228 West 17th Place  
Tulsa, Oklahoma 74119

  
\_\_\_\_\_  
Attorneys for Plaintiff

MARION M. DYER  
319 W. Washington Street  
Broken Arrow, OK 74012

  
\_\_\_\_\_  
Attorneys for Defendant

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**E I L E D**

UNITED STATES OF AMERICA, )

Plaintiff, )

vs. )

DAVID K. REYNARD, )

Defendant. )

MAY 8 1986

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

CIVIL ACTION NO. 86-C-235-E

DEFAULT JUDGMENT

This matter comes on for consideration this 7 day of May, 1986, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Phil Pinnell, Assistant United States Attorney, and the Defendant, David K. Reynard, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, David K. Reynard, acknowledged receipt of Summons and Complaint on April 5, 1986. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendant,



David K. Reynard, for the principal sum of \$7,430.10, plus accrued interest of \$89.15 as of February 28, 1982, plus interest at the rate of 4 percent per annum until judgment, plus interest thereafter at the current legal rate of 6.31 percent per annum until paid, plus costs of this action.

S/ JAMES C. BLUSON  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -8 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

T. D. WILLIAMSON, INC.,

Plaintiff,

VS.

DWANE ODELL LAYMON and  
ELECTRONIC PIGGING  
SYSTEMS, INC.,

Defendants.

No. 83-C-84-C

JUDGMENT

NOW, on this 8 day of May, 1986, trial having been previously had herein and findings of fact and conclusions of law having recently been entered,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED By the Court that:

1. U. S. Letters Patent No. 3,755,908, owned by the Plaintiff herein, are valid;
2. The Defendants are and have been guilty of the infringement of the said Patent No. 3,755,908 through their manufacture, use and sale of their products, the large and small gauging pigs;
3. The Plaintiffs are entitled to injunctive relief against such infringement, as per the formal Writ of Injunction to be entered by the Court herein, said injunctive relief to commence upon service thereof;
4. The Plaintiffs are entitled to damages herein, to be determined in a future proceeding;

5. The Plaintiffs shall not recover enhanced damages or attorney's fees herein;

6. The Defendants' counterclaims are denied and dismissed with prejudice; and

7. The Plaintiffs are entitled to recover all allowable costs herein, and for which let execution lie.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED By the Court that this Judgment shall be deemed the Court's final judgment on the issues of liability and injunctive relief, and is appealable at this juncture at the option of the Parties.

IT IS SO ORDERED, ADJUDGED AND DECREED, this 3 day of May, 1986.

s/H. DALE COOK

H. DALE COOK  
United States District Judge

ATTEST:

(SEAL)

JACK C. SILVER  
Court Clerk

By P. J. [Signature]  
Deputy Court Clerk

APPROVED AS TO FORM

[Signature]  
Paul H. Johnson  
Attorney for Plaintiff

[Signature]  
William S. Dorman  
Attorney for Defendants

Entered

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY -8 1986

WILLIAM J. "SMOKEY" LEE,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

Cr. 12, 305 ✓

No. 85-C-294-C

O R D E R

The Court has for consideration the Findings and Recommendations of the Magistrate filed on April 18, 1986 in which the Magistrate recommends that Movant's Motion to Vacate, Set Aside or Correct Setnence be denied. No exceptions or objections have been filed and the time for filing such exceptions or objections has expired.

After careful consideration of the record and the issues presented by the Petition for Writ of Habeas Corpus, the Court has concluded that the Findings and Recommendations of the Magistrate should be and hereby are affirmed and adopted as the Findings and Conclusions of this Court.

It is therefore Ordered that the the Motion to Vacate, Set Aside or Correct Sentence under Title 28 U. S. C. § 2255 be and is hereby denied and the case is dismissed.

It is so Ordered this 8 day of May, 1986.

  
H. DALE COOK  
CHIEF JUDGE

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY -8 1986

WILLIAM J. "SMOKEY" LEE,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

Cr. 12,305

No. 85-C-294-C ✓

O R D E R

The Court has for consideration the Findings and Recommendations of the Magistrate filed on April 18, 1986 in which the Magistrate recommends that Movant's Motion to Vacate, Set Aside or Correct Setnence be denied. No exceptions or objections have been filed and the time for filing such exceptions or objections has expired.

After careful consideration of the record and the issues presented by the Petition for Writ of Habeas Corpus, the Court has concluded that the Findings and Recommendations of the Magistrate should be and hereby are affirmed and adopted as the Findings and Conclusions of this Court.

It is therefore Ordered that the the Motion to Vacate, Set Aside or Correct Sentence under Title 28 U. S. C. § 2255 be and is hereby denied and the case is dismissed.

It is so Ordered this 8 day of May, 1986.

  
H. DALE COOK  
CHIEF JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -8 1986

AMERICAN BAR SALES CO.

Plaintiff,

vs.

TRANSMISSION STRUCTURES, LTD.  
a/k/a ATLAS TOWERS CORP.

Defendants.

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

Case No. 86-C-51-C

JOURNAL ENTRY OF JUDGMENT

The Court, having reviewed the file and for good cause shown, finds the following:

1. By letter to Plaintiff's counsel dated April 30, 1986, Defendant, Transmission Structures, Ltd., offered to allow entry of judgment in the amount of \$15,000.00 in favor of the Plaintiff, American Bar Sales Company, and to dismiss all Defendant's counterclaims.

2. By Notice of Acceptance of Offer to Allow Judgment and an Affidavit by R. Hayden Downie, counsel for Plaintiff, that he mailed the Notice of Acceptance of the Offer to Allow Judgment to the law offices of Logan, Lowry, Johnston, Switzer, West & McGeady, counsel for Defendant filed with the Court on May 5, 1986, Plaintiff, American Bar Sales Co., accepted Defendant's offer to allow judgment to be taken against Transmission Structures, Ltd., in the amount of \$15,000.00 and the dismissal of all Defendant's counterclaims pursuant to Federal Rule of Civil Procedure 68.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that judgment be entered for Plaintiff, American Bar Sales Company, and against the Defendant, Transmission Structures, Ltd. a/k/a Atlas Towers Corporation, on Plaintiff's claim in the amount of \$15,000.00, together with post-judgment interest at the rate of 15% per annum as allowed by law and the costs of the action. The issue of costs and attorney's fees is reserved for hearing upon application by the parties.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the counterclaims of Defendant, Transmission Structures, Limited, be dismissed with prejudice.

**s/H. DALE COOK**

\_\_\_\_\_  
Judge of the District Court

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -8 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GLENN A. WHITE II,

Defendant.

CIVIL ACTION NO. 86-C-186-C

DEFAULT JUDGMENT

This matter comes on for consideration this 8 day of May, 1986, the Plaintiff appearing by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, through Phil Pinnell, Assistant United States Attorney, and the Defendant, Glenn A. White II, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Glenn A. White II, acknowledged receipt of Summons and Complaint on March 25, 1986. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against the Defendant,



Glenn A. White II, for the principal sum of \$211.90, plus interest at the rate of 15.05 percent per annum and administrative costs of \$.61 per month from September 6, 1983, and \$.68 per month from January 1, 1984 until judgment, plus interest thereafter at the current legal rate of 6.31 percent per annum until paid, plus costs of this action.

s/H DALE COOK  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT  
OF OKLAHOMA.

CASE NO. 86-C-3C

FLORAFAX INTERNATIONAL, INC.,

Plaintiff,

vs.

DAVID FELD,

Defendant.


JOINT MOTION FOR DISMISSAL

COME NOW Plaintiff and Defendant and move the Court for the entry of an Order of Dismissal with prejudice of the above styled cause in that a settlement of all issues has been reached between the parties.

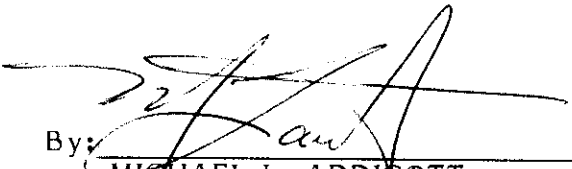
HALL, ESTILL, HARDWICK,  
GABLE, COLLINGSWORTH & NELSON, INC.,  
Co-counsel for Plaintiff  
4100 Bank of Oklahoma Tower  
One Williams Center  
Tulsa, Oklahoma 74172

YOUNG, STERN & TANNENBAUM, P.A.  
Attorneys for Defendant  
17071 West Dixie Highway  
North Miami Beach, Florida 33160  
Telephone: (305) 945-1851

By:

  
KENT L. JONES  
ORVAL E. JONES

By:

  
MICHAEL L. ADDICOTT

ORDER OF DISMISSAL WITH PREJUDICE

Upon the above Joint Motion for Dismissal, it is  
ORDERED and ADJUDGED that the above styled cause is hereby  
dismissed with prejudice.

ORDERED at Tulsa, Oklahoma, this 8 day of May, 1986.

UNITED STATES DISTRICT JUDGE

Copies furnished to:  
Michael L. Addicott, Esq.  
Kent L. Jones  
Orval E. Jones, Esq.  
Jeffrey Kravetz, Esq.  
Mack Braly, Esq.

FILED  
MAY -6 1986  
JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

FILED  
MAY -8 1986  
JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -7 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

AIMEE VANCE, et al.,

Plaintiffs,

vs.

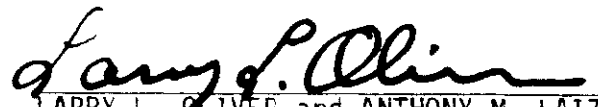
No. 85-C-566-C

STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY, a foreign  
corporation,  
Defendant.

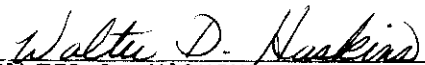
STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Aimee Vance, et al., Plaintiffs in Case No. 85-C-566-C, and State Farm Mutual Automobile Ins. Co. Defendant in Case No. 85-C-566-C, hereby stipulate that all claims and counterclaims asserted by each of them in Case No. 85-C-566-C may be and hereby are dismissed, with prejudice to the refiling thereof, with each party to bear her or its own costs.

Dated this 5th day of May, 1986.



LARRY L. OLIVER and ANTHONY M. LAIZURE  
Attorneys for Aimee Vance, et al.



WALTER D. HASKINS  
Attorney for State Farm Insurance Company

*Entered*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY 6 - 1986

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

LANDMARK AMERICAN INSURANCE  
COMPANY,

Plaintiff,

vs.

ROBERT C. HOLLOWAY, MARK  
MAULDIN and LISA MAULDIN,

Defendants.

NO. 85-C-1120B

JOURNAL ENTRY OF JUDGMENT

NOW on this 5th day of May, 1986, the  
above referenced cause coming on before the undersigned Judge  
of the District Court on the plaintiff's Application for  
Default Judgment against the defendant, Robert C. Holloway.  
In consideration thereof, the Court finds that the defendant,  
Robert C. Holloway, has been duly served in this case through  
publication in accordance with law and has failed to enter his  
appearance in this matter or otherwise respond to the Com-  
plaint filed herein. Therefore, the Court finds that the  
plaintiff, Landmark American Insurance Company, is entitled to  
judgment against the defendant, Robert C. Holloway, as prayed  
for in its Complaint.

IT IS, THEREFORE ORDERED, ADJUDGED AND DECREED that  
the plaintiff, Landmark American Insurance Company, have  
judgment against the defendant, Robert C. Holloway.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in accordance with the rights and obligations contained in the insurance contract issued by the plaintiff to the defendant, that the defendant, Robert C. Holloway, has failed to comply with the cooperation terms of said policy, such failure rendering the policy coverage ineffectual for the loss complained of in the case pending in the District Court of Tulsa County, Oklahoma, entitled Mark Mauldin and Lisa Mauldin, plaintiffs, vs. Robert C. Holloway, defendant, filed under case number CJ-85-4307.

S/ THOMAS R. BRETT

---

UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF OKLAHOMA

*Entered*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -6 1986

CRAWFORD ENTERPRISES  
MANUFACTURING, INC.,

Plaintiff,

v.

RYDER/P-I-E NATIONWIDE, INC.,

Defendant and  
Third Party Plaintiff,

v.

DAVID P. KLINGSHIRN,

Third Party Defendant.

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

No. 84-C-395-B

FINDINGS OF FACT  
AND  
CONCLUSIONS OF LAW

This matter comes before the Court on Plaintiff's Motion to Assess Attorney Fees as Costs. Also pending before the Court are Plaintiff's Motion to Review Assessment of Costs and Third Party Defendant's Motion to Tax Attorney Fees as Costs Against Third Party Plaintiff.

This case arose under the Interstate Commerce Act, 49 U.S.C. §11705. On June 30, 1982, two Cooper Superior Engines were shipped by Cooper Energy Services in Springfield, Ohio, to Crawford Enterprises Manufacturing Inc. in Tulsa, Oklahoma, via Allstates Trucking Co., a division of Pacific Intermountain Express, which has since been acquired by Ryder/P-I-E Nationwide, Inc. The engines were in good condition when delivered to

Allstates Trucking. On July 1, 1982, the vehicle transporting the engines went off the road, throwing the engines from the vehicle and damaging them. On May 3, 1984, plaintiff sued for damages to the engines. On June 18, 1984, Ryder/P-I-E Nationwide, Inc., ("Ryder") filed a Third Party Complaint against David P. Klingshirn, owner and operator of the truck transporting the engines at the time of the accident. On May 20, 1985, Ryder dismissed its Complaint against Klingshirn.

This matter was tried to the court, sitting without a jury, on May 30, 31 and June 3, 1985. On July 3, 1985, the Court entered its Findings of Fact and Conclusions of Law and Judgment in favor of Plaintiff and against Defendant in the amount of \$320,260.99 plus interest from July 3, 1985, at the rate of 7.7 percent per annum and costs.

Plaintiff filed its Bill of Costs on July 12, 1985, seeking \$6,006.48, including \$3,487.50 for expert witness fees. These expert witness fees were disallowed, and Plaintiff subsequently filed a Motion to Review Assessment of Costs.

Third Party Defendant Klingshirn filed his Motion to Tax Attorney Fees as Costs against Ryder on May 29, 1985. On July 22, 1985, Plaintiff filed its Motion to Tax Attorneys' Fees as Costs Against Defendant.

After considering the record before the Court, the arguments of counsel and the applicable legal authority, the Court enters the following Findings of Fact and Conclusions of Law:

### FINDINGS OF FACT

1. The action upon which these motions are based was tried to the Court, sitting without a jury, on May 30, 31, and June 3, 1985. The Findings of Fact and Conclusions of Law entered by this Court on July 3, 1985, are incorporated herein wherever appropriate.

2. With respect to Plaintiff's Motion to Review Assessment of Costs, specifically, Plaintiff's claim for \$3,487.50 for expert witness fees for Mr. William Augello, the Court finds that expert witness fees are not recoverable as costs by the prevailing party in federal court under 28 U.S.C. §1920. Henkel v. Chicago, Etc. Ry., 284 U.S. 444 (1932); CleveRock Energy Corp. v. Trepel, 609 F.2d 1358, 1363 (10th Cir. 1979), cert. denied, 446 U.S. 909 (1980); Ramos v. Lamm, 713 F.2d 546, 559 (10th Cir. 1983).

3. Concerning Plaintiff's Motion to Tax Attorney Fees as Costs against Ryder, the Court finds that the general rule is that attorney fees are not recoverable as damages against the non-prevailing party absent a contractual or statutory provision. Ruckelshaus v. Sierra Club, 463 U.S. 680 (1983); Sterling Energy Ltd. v. Friendly Nat. Bank, 744 F.2d 1433 (10th Cir. 1984). No such contractual or statutory provision exists herein. However, under certain circumstances, a court may award attorney fees where a party has been guilty of bad faith, vexatious, wanton or oppressive conduct. Hall v. Cole, 412 U.S. 1 (1973); Alyeska Pipeline Service Company v. Wilderness Society, 421 U.S. 240,



258-59 (1975); Ryan v. Hatfield, 578 F.2d 275 (10th Cir. 1978). The Court finds no evidence of bad faith or vexatious, wanton or oppressive conduct that would justify taxing attorney fees as costs against Ryder.

4. With respect to Third Party Defendant David Klingshirn's Motion to Tax Attorney Fees as Costs against Ryder, the Court reiterates the general rule that attorney fees are not recoverable as damages against the non-prevailing party absent a contractual or statutory provision. Ruckelshaus v. Sierra Club, supra; Sterling Energy, Ltd., supra. The Court finds no evidence of bad faith or vexatious, wanton or oppressive conduct by Ryder against Third Party Defendant Klingshirn which would justify the awarding of attorney fees under Hall v. Cole, supra. The Court finds no contractual or statutory basis for awarding attorney fees in this matter.

#### CONCLUSIONS OF LAW

1. The Court has jurisdiction over the parties and the subject matter of this action under 28 U.S.C. §1337.

2. Any Finding of Fact that might more properly be characterized as a Conclusion of Law is incorporated herein.

3. Attorney fees are generally not recoverable in federal court by the prevailing party absent a contractual or statutory provision therefor.

4. The Defendant/Third Party Plaintiff, Ryder/P-I-E Nationwide, Inc., has not been guilty of bad faith or vexatious, wanton or oppressive conduct against Plaintiff, Crawford

Enterprises or Third Party Defendant, David Klingshirn, so as to warrant assessment of attorney fees.

5. Expert witness fees are not recoverable as costs under the federal general cost statute.

6. Therefore, the Court concludes that Plaintiff's Motion to Assess Attorney Fees as Costs, Third Party Defendant David Klingshirn's Motion to Tax Attorney Fees as Costs and Plaintiff's Motion to Review Assessment of Costs must be overruled.

IT IS SO ORDERED, this 5<sup>th</sup> day of May, 1986.



THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

*Entered*

**FILED**

MAY -6 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

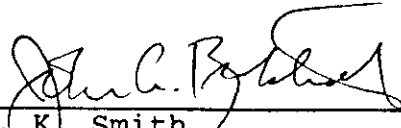
IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

PHILLIPS PETROLEUM COMPANY	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 85-C-1017-B
	)	
KELSO & COMPANY, a	)	
Partnership,	)	
	)	
Defendant.	)	

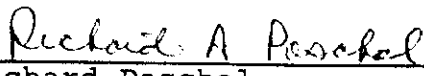
STIPULATION OF DISMISSAL

The Plaintiff, Phillips Petroleum Company, by and through BOONE, SMITH, DAVIS & HURST, its undersigned attorneys of record, and the Defendant, Kelso & Company, by and through HALL, ESTILL, HARDWICK, GABLE, COLLINGSWORTH & NELSON, its undersigned attorneys of record, hereby stipulate, pursuant to Rule 41(a), Fed. R. Civ. P. that the above-captioned proceeding may be and the same is hereby dismissed, with prejudice, with each party to bear its own costs and fees.

DATED this 5 day of <sup>May</sup> March, 1986.

  
\_\_\_\_\_  
L. K. Smith  
John Burkhardt, Jr.  
BOONE, SMITH, DAVIS & HURST  
500 Oneok Plaza  
100 West Fifth Street  
Tulsa, Oklahoma 74103

Attorneys for  
Phillips Petroleum Company

  
\_\_\_\_\_  
Richard Paschal  
HALL, ESTILL, HARDWICK, GABLE,  
COLLINGSWORTH & NELSON  
4100 Bank of Oklahoma Tower  
One Williams Center  
Tulsa, Oklahoma 74172

Attorneys for  
Kelso & Company

*Entered*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -6 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

CRAWFORD ENTERPRISES  
MANUFACTURING, INC.,

Plaintiff,

v.

RYDER/P-I-E NATIONWIDE, INC.,

Defendant and  
Third Party Plaintiff,

v.

DAVID P. KLINGSHIRN,

Third Party Defendant.

No. 84-C-395-B

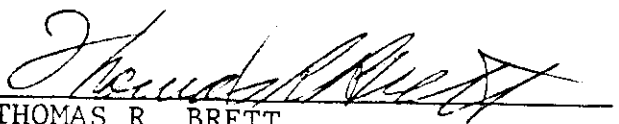
J U D G M E N T

This matter came before the Court on the Motion of Plaintiff, Crawford Enterprises Manufacturing, Inc., to Assess Attorney Fees as Costs against Defendant, Ryder/P-I-E Nationwide, Inc., and the Third Party Defendant David P. Klingshirn's Motion to Tax Attorney Fees as Costs against Ryder/P-I-E Nationwide, Inc. The issues having been duly heard and a decision having been duly rendered,

It is Ordered and Adjudged

that the Plaintiff, Crawford Enterprises Manufacturing, Inc., take nothing from the Defendant Ryder/P-I-E Nationwide, Inc. for attorney fees and that Third Party Defendant David P. Klingshirn take nothing from Third Party Plaintiff Ryder/P-I-E Nationwide, Inc., for attorney fees.

DATED this 6<sup>th</sup> day of May, 1986.

  
THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

**E I L E D**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

MAY 5 1986

**Jack C. Silver, Clerk  
U. S. DISTRICT COURT**

FIRST SECURITY MORTGAGE COMPANY, )  
an Oklahoma corporation, )

Plaintiff, )

vs. )

CENTRAL FUNDING CORPORATION, a )  
Mississippi corporation, and )  
THOMSON MCKINNON SECURITIES, )  
INC., a Delaware corporation, )

Defendants. )

No. <sup>85</sup>~~86~~-C-970-E

ORDER

UPON the Motion to Transfer previously filed herein by the Plaintiff First Security Mortgage Company, and being advised and finding (i) that First Security and the Defendant Central Funding Corporation have reached agreement concerning the United States District Court to which this case should be transferred; and (ii) that the Defendant Thomson McKinnon Securities, Inc., has not entered an appearance herein but that, based upon the undersigned counsels' advice to the Court, all named Defendants herein have previously agreed to permit Thomson McKinnon to interplead the money held by it, and such Defendant's local counsel in Oklahoma City, Douglas Branch of Fagin, Hewett, Matthews & Fagin, P.C., has no objection to such transfer; and being otherwise fully advised it is therefore

ORDERED that this case shall be and is hereby transferred to the United States District Court for the Western District of Louisiana, at Monroe, Louisiana, and

IT IS FURTHER ORDERED that the Clerk of this Court shall forthwith transmit such copies of the Court's files to the Clerk of the United States District Court for the Western District of Louisiana so as to accomplish such transfer.

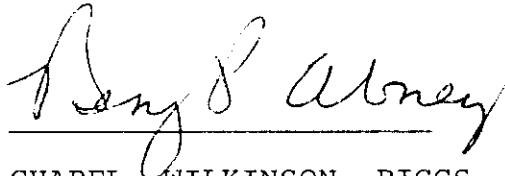
DATED this 2nd day of May ~~April~~, 1986.

S/ JAMES O. ELLISON

JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

Approved as to  
form and content:

BENJAMIN P. ABNEY



CHAPEL, WILKINSON, RIGGS  
& ABNEY  
502 West Sixth Street  
Tulsa, Oklahoma 74119  
(918) 587-3161

Attorneys for Plaintiff  
FIRST SECURITY MORTGAGE COMPANY

DOUGLAS L. INHOFE  
STEVEN K. BALMAN  
DAVID R. CORDELL

By 

CONNER & WINTERS  
2400 First National Tower  
Tulsa, Oklahoma 74103  
(918) 586-5711

Attorneys for Defendant  
CENTRAL FUNDING CORPORATION

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

#37

JIM LUTHI, ET AL,

Plaintiff,

vs.

No. C-85-1071-E

WILLIAM F. PROBST,  
DOUGLAS G. HAUNSCHILD;  
PETRON EXPLORATION, INC.,  
d/b/a PETRON EXPLORATION  
DEVELOPMENT CO., INC.;  
STEVE R. RIFF; VICTORY  
NATIONAL BANK; STONEMARK  
INTERNATIONAL, LTD., and  
ALEXCO MORTGAGE CO.,

Defendants.

**E I L E D**

MAY 5 1986

**Jack C. Silver, Clerk  
U. S. DISTRICT COURT**

ORDER OF DISMISSAL WITH PREJUDICE  
AND PROTECTIVE ORDER

On this 2nd day of May, 1986, this matter came on before me the undersigned Judge of the District Court, upon the parties' Joint Motion to Dismiss, and the Court finds that for good cause shown this matter should be dismissed with prejudice to the refiling of same. The Court further finds that the protective order as agreed to and set forth in the parties' Joint Motion to Dismiss should issue.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiffs' claims against defendants Victory National Bank of Nowata and Steve R. Riff be and are hereby dismissed with prejudice to the refiling of same.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties hereto are restricted and protected in the following manner:

1. No party shall communicate in any fashion, any information with respect to the contents of one certain settlement agreement executed by and between the parties hereto, other than that this subject action has been settled.

2. No party hereto shall divulge the amount of payment in settlement, the terms of the settlement or the documentation prepared for the purposes of this settlement, including but not limited to the settlement agreement, or the contents thereof, to any person not an attorney or party to this action which has been served with summons and participated herein, or an agent of an attorney or party, as herein defined.

3. The provisions of this protective order are designed to and intended to continue to be binding after the conclusion of this action, absent written permission of the other party or parties or further order of this court.

**ST JAMES O. ELISON**  
UNITED STATES DISTRICT JUDGE



**FILED**

#37

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

MAY 5 1986

LUCILLE ELLEDGE,

Plaintiff,

vs.

WILLIAM F. PROBST,  
DOUGLAS G. HAUNSCHILD;  
PETRON EXPLORATION, INC.,  
d/b/a PETRON EXPLORATION  
DEVELOPMENT CO., INC.;  
STEVE R. RIFF; VICTORY  
NATIONAL BANK; STONEMARK  
INTERNATIONAL, LTD., and  
ALEXCO MORTGAGE CO.,

Defendants.

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

No. 85-C836-E  
Consolidated for Discovery  
with No. C-85-1071-E

ORDER OF DISMISSAL WITH PREJUDICE  
AND PROTECTIVE ORDER

On this 2nd day of May, 1986, this matter came on before me the undersigned Judge of the District Court, upon the parties' Joint Motion to Dismiss, and the Court finds that for good cause shown this matter should be dismissed with prejudice to the refiling of same. The Court further finds that the protective order as agreed to and set forth in the parties' Joint Motion to Dismiss should issue.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff Lucille Elledge's claims against defendants Victory National Bank of Nowata and Steve R. Riff be and are hereby dismissed with prejudice to the refiling of same.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties hereto are restricted and protected in the following manner:

1. No party shall communicate in any fashion, any information with respect to the contents of one certain settlement agreement executed by and between the parties hereto, other than that this subject action has been settled.

2. No party hereto shall divulge the amount of payment in settlement, the terms of the settlement or the documentation prepared for the purposes of this settlement, including but not limited to the settlement agreement, or the contents thereof, to any person not an attorney or party to this action which has been served with summons and participated herein, or an agent of an attorney or party, as herein defined.

3. The provisions of this protective order are designed to and intended to continue to be binding after the conclusion of this action, absent written permission of the other party or parties or further order of this court.

ST. JAMES P. BUREAU  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -2 1936

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

JOSEF E. KERCSO, et al.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 84-C-837-C
	)	
NICHOLS PETROLEUM COMPANY,	)	
et al.,	)	
Defendants,	)	
	)	
vs.	)	
	)	
DEHAYDU INVESTMENT	)	
SECURITIES, et al.,	)	
	)	
Third Party Defendants.	)	

ORDER

It appearing to the satisfaction of this Court that all matters and controversies have been compromised by and between Defendant Ricardo Ramirez, Third Party Defendants David Simcho and Coast County Securities, Inc., and Defendants Nichols Petroleum Company, Orville Nichols, Richard Nichols, Larry Manley and Midwest Petroleum Supply, Inc., as evidenced by the signatures of their attorneys on the stipulation filed herein; therefore,

IT IS ORDERED that Defendant Ricardo Ramirez and Third Party Defendants David Simcho and Coast County Securities, Inc.'s action against Defendants Nichols Petroleum Company, Orville Nichols, Richard Nichols, Larry Manley and Midwest Petroleum Supply, Inc., be, and the same is hereby, dismissed

with prejudice only as to Nichols Petroleum Company, Orville Nichols, Richard Nichols, Larry Manley and Midwest Petroleum Supply, Inc.; and


IT IS FURTHER ORDERED, that each party shall be responsible for his own costs and attorney fees.

DATED <sup>April</sup> ~~March~~ 30, 1986.

s/H. DALE COOK


Judge of the District Court

Approved as to form:


  
Russell W. Wallace  
1875 East 71st Street  
Tulsa, Oklahoma 74136  
(918) 492-2336

Shane K. Cortright  
Kurahara, Morrissey & Street  
2355 Oakland Road  
San Jose, California 95131

ATTORNEYS FOR DEFENDANT RICARDO RAMIREZ  
and THIRD PARTY DEFENDANTS DAVID SIMCHO  
and COAST COUNTY SECURITIES, INC.

  
Michael L. McHugh  
5314 South Yale, Suite 404  
Tulsa, Oklahoma 74135

ATTORNEY FOR DEFENDANTS NICHOLS PETROLEUM  
COMPANY, ORVILLE NICHOLS, LARRY MANLEY  
and MIDWEST PETROLEUM SUPPLY, INC.

  
Richard Nichols  
5314 South Yale  
Tulsa, Oklahoma 74135

ORDER2/F1/pw

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

JOSEF E. KERCSO, et al.,

Plaintiffs,

vs.

NICHOLS PETROLEUM COMPANY,  
et al.,

Defendants,

vs.

DEHAYDU INVESTMENT SECURITIES,  
et al.,

Third Party Defendants.

MAY -2 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

No. 84-C-837-C

ORDER

It appearing to the satisfaction of this Court that all matters and controversies have been compromised by and between all remaining Defendants and Third Party Defendants Coast County Securities, Inc., Ricardo Ramirez, and David Simcho, as evidenced by the signatures of their attorneys on the stipulation filed herein; therefore,

IT IS ORDERED that the Defendants' action against the Third Party Defendants Coast County Securities, Inc., Ricardo Ramirez, and David Simcho be, and the same is hereby, dismissed with prejudice only as to Coast County Securities, Inc., Ricardo Ramirez, and David Simcho; and

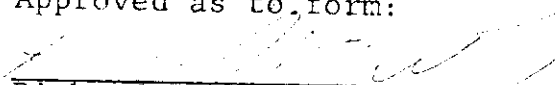
IT IS FURTHER ORDERED, that each party shall be responsible  
for his own costs and attorney fees.


DATED ~~April~~ <sup>May</sup> 8, 1986.  
*April 30*

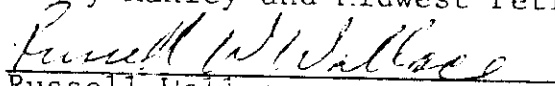
s/H. DALE COOK

H. Dale Cook  
Judge of the District Court

Approved as to form:

  
Richard J. Nichols  
Pro. Se

  
Michael L. McHugh  
Attorney for Defendants Orville B. Nichols,  
Larry Manley and Midwest Petroleum Supply, Inc.

  
Russell Wallace  
Attorneys for Third Party Defendants,  
Ricardo Ramires, David Simcho and  
Coast County Securities, Inc.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -2 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

MARIANNE HASTY,

Plaintiff,

v.

ROBERT HASTY, BEQUETTA JEAN  
CROWE, and FARMERS INSURANCE  
COMPANY, INC.,

Defendants.

Case No.: 86-C-305-E

NOTICE OF DISMISSAL

COMES NOW the Plaintiff pursuant to Rule 41(a)(1)  
without prejudice.

E. TERRILL CORLEY  
OBA #1915  
1809 East 15th Street  
Tulsa, Oklahoma 74104  
(918) 744-6641

ATTORNEY FOR PLAINTIFF

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -2 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

USAir, INC., a  
Delaware corporation,

Plaintiff,

vs.

GEORGE W. MOODY (US), INC.,  
a/k/a GMI, currently known  
as InterSim, Inc., an  
Oklahoma corporation,

Defendant.

No. 86-C-287-E

NOTICE OF DISMISSAL  
OF ACTION

COMES NOW USAir, Inc., the above named Plaintiff, and pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, herein dismisses without prejudice the above referenced action against the Defendant, George W. Moody (US), Inc., a/k/a GMI, currently known as InterSim, Inc. Said notice of dismissal is filed herein prior to the adverse party submitting an answer to the Complaint or the filing of a motion for summary judgment. Therefore, this dismissal is effective immediately upon the filing of the same.



Charles A. Grissom, Jr.  
Charles A. Grissom, Jr.  
Of BOESCHE, McDERMOTT & ESKRIDGE  
800 Oneok Plaza  
100 West Fifth Street  
Tulsa, Oklahoma 74103  
(918) 583-1777

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Notice of Dismissal was mailed to Gary R. McSpadden, Baker, Hoster, McSpadden, Clark & Rasure, 13th Floor, One Boston Plaza, Tulsa, Oklahoma 74103, by depositing a copy thereof in the United States mails in Tulsa, Oklahoma, with first-class postage thereon prepaid, this 2nd day of May, 1986.

Charles A. Grissom, Jr.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

THRIFTY RENT-A-CAR SYSTEM,  
INC.,  
  
Plaintiff,  
  
vs.  
  
BERNARD J. BRUNING and  
THRIFTY RENT-A-CAR PROPRIETARY,  
LIMITED,  
  
Defendants.

**FILED**

MAY 2 1986

**Jack C. Silver, Clerk  
U. S. DISTRICT COURT**

No. 86-C-127-E

JUDGMENT

On this 1st day of May, 1986, plaintiff's motion for entry of judgment by default comes on for hearing pursuant to Rule 55(b)(2), Federal Rules of Civil Procedure. Plaintiff is represented by its counsel of record, Mr. Kent L. Jones, of Hall, Estill, Hardwick, Gable, Collingsworth & Nelson, Inc.

The Court has determined by review of the record that defendant Bernard J. Bruning was personally served with Complaint and Summons, and that defendant Thrifty Rent-A-Car Proprietary, Limited, was properly and personally served with Complaint and Summons through its managing agent, and that both defendants have wholly failed to appear or otherwise defend the action. The Court further finds that default was entered against both defendants pursuant to Rule 55(a), Federal Rules of Civil Procedure, on April 10, 1986, and that defendants were given notice of this entry of default. The Court determines that it has

jurisdiction over this action pursuant to 28 U.S.C. § 1332 (a)(2), and that it has personal jurisdiction over the defendants.

Upon hearing evidence, the Court finds that judgment should be rendered jointly and severally against both defendants on plaintiff's First Claim for Relief, that plaintiff has been damaged in the amount of \$2,315,531.00, and that judgment should be rendered against both defendants, jointly and severally, in this amount.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff, Thrifty Rent-A-Car System, Inc., shall have and has judgment against defendants Bernard J. Bruning and Thrifty Rent-A-Car Proprietary, Limited, jointly and severally, in the amount of \$2,315,531.00, and that this judgment shall be the final judgment in the action, and that plaintiff shall be and is awarded its costs in this action.

S/ JAMES O. ELLISON

---

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -2 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

SHARON S. KIDD,

Plaintiff,

-against-

PIONEER ROCK & CHAT, INC., an  
Oklahoma corporation,

JACK SHARPENSTEEN, JR.,

KENNETH READING,

EDWARD L. RODGERS,

DOROTHY SHARPENSTEEN,

JOHN DOE and JANE ROE,

being persons presently  
unknown to Plaintiff who have  
conspired with the  
named Defendants,

Defendants.

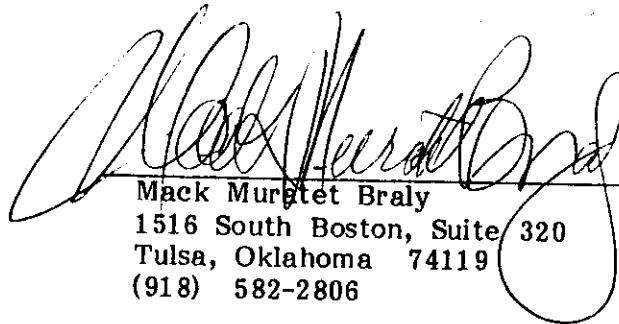
Civ. No. 85-C-1040E

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

It is hereby stipulated, pursuant to Rule 41 (A)(1)(ii) and (C), Fed. R. Civ. P., by and between the undersigned counsel for the parties that the Claims and Counterclaims in this action should be dismissed as to the respective parties, without prejudice and without costs to either party.

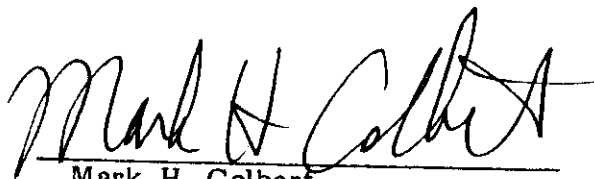
Done this 2nd day of May, 1986, at Tulsa, Oklahoma.

APPROVED AS TO FORM:



Mack Murphree Braly  
1516 South Boston, Suite 320  
Tulsa, Oklahoma 74119  
(918) 582-2806

Attorney for Plaintiff



Mark H. Colbert  
P. O. Box 2169  
Ardmore, Oklahoma 73402  
(405) 226-1911

Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -2 1986

PAUL ELBERT SMITH; and  
SHAMEEKA LARAYA SMITH and  
WILLISHA PAULETTE SMITH, and  
TYANNA TREVETTE SMITH, Minor  
Children, by and through their  
father and next friend,  
PAUL ELBERT SMITH,

Plaintiffs,

vs.

MISSOURI PACIFIC RAILROAD COMPANY,  
a Delaware corporation,

Defendant.

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

Case No. 85-C-1121C

ORDER DISMISSING CASE WITH PREJUDICE

This matter came on before me, the undersigned Judge, on the Parties' Joint Stipulation for Dismissal with Prejudice. The Court, being fully advised in the premises, finds that the above captioned action has been settled and compromised by the Parties.

IT IS THEREFORE ORDERED that the same be dismissed with prejudice as to the refiling of same.

DATED this 1 day of May, 1986.

s/H. DALE COOK

United States District Court Judge

**FILED**

MAY 7 1986

Dea C. Silver, Clerk  
U. S. DISTRICT COURT**United States District Court**

FOR THE

SOUTHERN DISTRICT OF NEW YORKINDEMNITY INSURANCE COMPANY OF  
NORTH AMERICA

vs.

SKELLY DRILLING COMPANY, INC.,  
VERN O. COLLUM and CRAIG O. COLLUM

CIVIL ACTION FILE NO.

M-1277-B  
85 CIVIL 8349 PNLDEFAULT  
JUDGMENT

#86,0777

**CERTIFICATION OF JUDGMENT FOR  
REGISTRATION IN ANOTHER DISTRICT**I, RAYMOND F. BURGHARDT, Clerk of the United States District Court for  
the SOUTHERN District of NEW YORKdo hereby certify the annexed to be a true and correct copy of the original judgment entered in the  
above entitled action on April 7, 1986, as it appears of record in my office,  
and that

- Said judgment having been entered on default of the  
defendant(s) in appearing herein and no application having  
been made to vacate said judgment.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of the said  
Court this 25th day of April, 19 86.By RAYMOND F. BURGHARDT, Clerk  
Ralph Lounsbury Deputy Clerk

\* When no notice of appeal from the judgment has been filed, insert "no notice of appeal from the said judgment has been filed in my office and the time for appeal commenced to run on [insert date] upon the entry of [If no motion of the character described in Rule 73(a) F.R.C.P. was filed, here insert 'the judgment', otherwise describe the nature of the order from the entry of which time for appeal is computed under that rule.] If an appeal was taken, insert "a notice of appeal from the said judgment was filed in my office on [insert date] and the judgment was affirmed by mandate of the Court of Appeals issued [insert date]" or "a notice of appeal from the said judgment was filed in my office on [insert date] and the appeal was dismissed by the [insert 'Court of Appeals' or 'District Court'] on [insert date]", as the case may be.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DOCS # 7 *du vide*

-----X  
INDEMNITY INSURANCE COMPANY OF  
NORTH AMERICA,

Plaintiff,

M-1277-B  
85 Civ. 3349 (PNL)

DEFAULT JUDGMENT

SHIRLEY J. COLE & COMPANY, INC.,  
VERNON O. COLLETT and CRAIG O. COLLUM,

Defendants.

86 071  
FILED  
APR 4 1986  
S. D. OF N. Y.

-----X  
This action having been commenced by the filing of a complaint and the issuance of a summons on October 23, 1985, and a copy of the summons and complaint having been served pursuant to Rules 4(d)(3) and 4(e) of the Federal Rules of Civil Procedure upon defendant Vern O. Collum, on November 7, 1985, and defendant Vern O. Collum, not having appeared, answered or moved with respect to the complaint, and his time for appearing, answering or moving with respect to the complaint having expired, and pursuant to Rule 54(b) of the Federal Rules of Civil Procedure there being no just reason for delay

NOW, on motion of Cole & Deitz, attorneys for plaintiff, Indemnity Insurance Company of North America, it is

ORDERED, ADJUDGED and DECREED that plaintiff Indemnity Insurance Company of North America have judgment joint and several against defendant Vern O. Collum in the liquidated amount of \$536,000.00 with interest thereon from August 26, 1985 at the



rate of 12.5% per annum through February 2, 1986 in the amount of \$24,591.49; plus \$335,030.00 with interest thereon from October 3, 1985 at the rate of 12.5% per annum through February 2, 1986 in the amount of \$14,074.72; plus \$1,352,500.00 with interest thereon from November 2, 1985 at the rate of 12.5% per annum through February 2, 1986 in the amount of \$42,734.51; plus the costs and disbursements of this action in the amount of \$400.00 amounting in total to \$2,310,330.72 and plaintiff have execution therefor, and it is further

ORDERED, ADJUDGED and DECREED, that the tenth claim for relief requesting the recovery of reasonable attorneys fees be severed and continued against defendants Skelly Drilling Company, Inc., Vern O. Collum and Craig O. Collum.

ENTERED this 2nd April day of ~~February~~, 1986

THIS DOCUMENT WAS ENTERED  
ON THE DOCKET ON - 1-7-86

14

A TRUE COPY  
RAYMOND E. BURGHARDT, Clerk  
By [Signature]  
Deputy Clerk

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -2 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ELIJAH C. HALEY and  
BELINDA A. HALEY, now known  
as BELINDA ELLIS,

Defendants.

CIVIL ACTION NO. 85-C-89-C

DEFICIENCY JUDGMENT

Now on this 2 day of May, 1986, there came on for hearing the Motion of the Plaintiff United States of America for leave to enter a Deficiency Judgment herein, said Motion being filed on April 16, 1986, and a copy of said Motion being mailed to Elijah C. Haley, 13 West 50th Street North, Tulsa, Oklahoma 74126 and to Belinda A. Haley, now known as Belinda Ellis, c/o Rockwell International Corporation, 2000 North Memorial, Building #001, Tulsa, Oklahoma 74115. The Plaintiff, United States of America, acting on behalf of the Administrator of Veterans Affairs, appeared by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma through Nancy Nesbitt Blevins, Assistant United States Attorney, and the Defendants Elijah C. Haley and Belinda A. Haley, now known as Belinda Ellis, appeared neither in person nor by Counsel.

The Court upon consideration of said Motion finds that the amount of the Judgment rendered herein on June 20, 1985, in favor of the Plaintiff United States of America, and against the Defendants Elijah C. Haley and Belinda A. Haley, now known as Belinda Ellis, with interest and costs to date of sale is \$35,073.82.

The Court further finds that the market value of the real property at the time of sale was \$28,000.00.

The Court further finds that the real property involved herein was sold at Marshal's sale, pursuant to the Judgment of this Court entered June 20, 1985, for the sum of \$29,900.00.

The Court further finds that the Plaintiff United States of America is accordingly entitled to a deficiency judgment against the Defendants Elijah C. Haley and Belinda A. Haley, now known as Belinda Ellis, as follows:

Principal Balance	\$27,918.96
Interest	6,097.50
Late Charges	259.20
Appraisal	230.00
Management Broker Fees	320.00
Advertising	<u>248.16</u>

TOTAL	\$35,073.82
Less Credit of Sale Proceeds	<u>29,900.00</u>

DEFICIENCY	\$ 5,173.82
------------	-------------

plus interest on said deficiency judgment at the current legal rate per annum from date of judgment until paid; said deficiency being the difference between the amount of Judgment rendered herein and the amount credited to Plaintiff United States of America after the Marshal's Sale of the property herein.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the United States of America have and recover from Defendants Elijah C. Haley and Belinda A. Haley, now known as Belinda Ellis, a deficiency judgment in the amount of \$5,173.82, plus interest at the legal rate of 6.31 percent per annum on said deficiency judgment from date of judgment until paid.

s/H. DALE COOK

---

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY -2 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

E.R. McKEE

Plaintiff(s),

vs.

JACK K. MAYBERRY, et al

Defendant(s).

No. 85-C-693-C


JUDGMENT DISMISSING ACTION  
BY REASON OF SETTLEMENT

The Court has been advised by counsel that this action has been settled, or is in the process of being settled. Therefore, it is not necessary that the action remain upon the calendar of the Court.

IT IS ORDERED that the action is dismissed without prejudice. The Court retains complete jurisdiction to vacate this Order and to reopen the action upon cause shown that settlement has not been completed and further litigation is necessary.

IT IS FURTHER ORDERED that the Clerk forthwith serve copies of this Judgment by United States mail upon the attorneys for the parties appearing in this action.

Dated this 2 day of May, 1986.

  
UNITED STATES DISTRICT JUDGE  
H. DALE COOK

Entered

FILED

MAY -1 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

In the United States District Court  
for the District of Columbia

John Doe, Plaintiff,  
vs.  
Jane Smith, Defendant.  
Case No. 86-12345  
Filed May 1, 1986  
U.S. District Court  
District of Columbia

MEMORANDUM FOR DECISION

On May 1, 1986, the Court received a motion for summary judgment filed by the Defendant, Jane Smith. The motion is supported by the following facts:

1. Jane Smith is the sole owner and operator of the business.  
2. The business has been operating since 1980.  
3. The business has a net worth of \$100,000.  
4. The business has a net income of \$10,000 per year.  
5. The business has a net loss of \$10,000 per year.

CONCLUSION AND RECOMMENDATION

On May 1, 1986, the Court received a motion for summary judgment filed by the Defendant, Jane Smith. The motion is supported by the following facts:

1. Jane Smith is the sole owner and operator of the business.  
2. The business has been operating since 1980.  
3. The business has a net worth of \$100,000.  
4. The business has a net income of \$10,000 per year.  
5. The business has a net loss of \$10,000 per year.

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

*Entered*

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEITH L. MELTON,

Defendant.

MAY -1 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

CIVIL ACTION NO. 86-C-233-B

NOTICE OF DISMISSAL

COMES NOW the United States of America by Layn R. Phillips, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Phil Pinnell, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 30th day of April, 1986.

UNITED STATES OF AMERICA

LAYN R. PHILLIPS  
United States Attorney

PHIL PINNELL  
Assistant United States Attorney  
3600 United States Courthouse  
Tulsa, Oklahoma 74103  
(918) 581-7463

CERTIFICATE OF SERVICE

This is to certify that on the 30th day of <sup>May</sup>~~April~~, 1986, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Keith L. Melton, P.O. Box 263, Chelsea, Oklahoma.

*[Signature]*  
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -1 1986

JACK C. SILVER, CLE  
U.S. DISTRICT COUR

SMA LIFE ASSURANCE CO.,  
Plaintiff,

-vs-

AIMEE VANCE,

Defendant.

No. 85-C-252-B

(CONSOLIDATED)

STEWART DEVELOPMENT, LTD.,  
an Oklahoma corporation,  
d/b/a CASTLE DISTRIBUTORS,

Plaintiff,

-vs-

SMA LIFE ASSURANCE COMPANY,

Defendant.

No. 85-C-399-B

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff, Stewart Development, Ltd., an Oklahoma corporation, d/b/a Castle Distributors, and Defendant, SMA Life Assurance Company, hereby stipulate that all claims asserted in this action may be and hereby are dismissed, with prejudice to the refiling thereof, with each party to bear its own costs.

DATED this 1 day of May, 1986.

Randolph P. Stainer  
RANDOLPH P. STAINER, Attorney for  
Plaintiff, Stewart Development, Ltd.

Richard B. Noulles  
RICHARD B. NOULLES, Attorney for  
Defendant, SMA Life Assurance Company



IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -1 1986

JACK C. SILVER, CL.  
U.S. DISTRICT COU

SMA LIFE ASSURANCE CO.,  
Plaintiff,

-vs-

AIMEE VANCE,

Defendant.

No. 85-C-252-B

(CONSOLIDATED)

-----  
STEWART DEVELOPMENT, LTD.,  
an Oklahoma corporation,  
d/b/a CASTLE DISTRIBUTORS,  
Plaintiff,

-vs-

SMA LIFE ASSURANCE COMPANY,  
Defendant.

No. 85-C-399-B

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff, Stewart Development, Ltd., an Oklahoma corporation, d/b/a Castle Distributors, and Defendant, SMA Life Assurance Company, hereby stipulate that all claims asserted in this action may be and hereby are dismissed, with prejudice to the refiling thereof, with each party to bear its own costs.

DATED this 1 day of May, 1986.

Randolph P. Stainer  
RANDOLPH P. STAINER, Attorney for  
Plaintiff, Stewart Development, Ltd.

Richard B. Noulles  
RICHARD B. NOULLES, Attorney for  
Defendant, SMA Life Assurance Company

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY -1 1986

SAM T. EVANS,

Plaintiff,

vs.

OTIS BOWEN, M.D., Secretary of  
Health and Human Services,

Defendant.

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

No. 85-C-819-C

O R D E R


Now before the Court for its consideration are the objections of the plaintiff, Sam T. Evans, to the Findings and Recommendations of the Magistrate, said Findings and Recommendations filed herein on April 8, 1986. Plaintiff brought his action against the Secretary of Health and Human Services challenging the Secretary's denial of his claim for disability insurance benefits under §§216(i) and 233 of Title II of the Social Security Act, 42 U.S.C. §§416(i) and 423. The Magistrate has recommended to the Court that there exists substantial evidence to support the Secretary's decision that plaintiff was able to perform some substantial gainful employment as of October 17, 1984. The Magistrate recommends that the Secretary's decision be affirmed.

After careful consideration of the record, the issues presented in the motion, the Magistrate's Findings and Recommendations, and the objections of plaintiff, Sam T. Evans, the Court has concluded that the Findings and Recommendations of the

Magistrate should be and hereby are affirmed and adopted as the Findings and Conclusions of this Court.

IT IS THEREFORE ORDERED that the decision of the Secretary of Health and Human Services in denying plaintiff's claim for disability insurance benefits is hereby affirmed.

IT IS SO ORDERED this 1<sup>st</sup> day of may, 1986.

  
H. DALE COOK  
Chief Judge, U. S. District Court

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -1 1986

ROBERT G. O'REAR and VERA O'REAR, \*  
husband and wife, and ROBERT G. \*  
O'REAR, II., and BETTY O'REAR, \*  
husband and wife. \*

PLAINTIFFS, \*

-VERSUS-

BEST SHOT, INC., d/b/a BEST SHOT \*  
WATERBEDS; CLASSIC CORPORATION and \*  
CLASSIC FLOTATION SLEEP \*  
SYSTEM. \*

DEFENDANTS. \*

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

\* CASE NO: 86-C-356-E

NOTICE-DISMISSAL WITHOUT PREJUDICE-BY PLAINTIFF

TO:

BEST SHOT, INC.,  
d/b/a BEST SHOT WATERBEDS  
CLASSIC CORPORATION  
CLASSIC FLOTATION SLEEP SYSTEMS

You are hereby notified that, ROBERT G. O'REAR and VERA W. O'REAR, husband and wife, and, ROBERT G. O'REAR, II., and BETTY O'REAR, husband and wife, Plaintiffs in the above-entitled action hereby dismisses the action without prejudice pursuant to Rule 41 (a) (1) of the Federal Rules of Procedure, permitting dismissal by Plaintiff, without order of Court, by the filing of a notice of dismissal at any time before service of adverse party of an answer or a motion for summary judgment.

Dated this 30th day of April, 1986.

Filed this 1st day of May, 1986

*This dismissal may be filed  
without objection to by defendant  
Best Shot, Inc.  
Pursuant to Alfred Konig ht.  
5/1/86  
Wm J. Dale.*

Wm J. Dale.  
WILLIAM J. DALE/O.B.A.#2135  
3500 S.E.HENRIETTA  
BARTLESVILLE, OK 74006  
918/335-0990

CERTIFICATE OF MAILING

I, WILLIAM J. DALE, do hereby certify that on this 1st day of May, 1986, did cause to be mailed a full, true and correct copy of the above and foregoing NOTICE-DISMISSAL WITHOUT PREJUDICE-BY PLAINTIFF with proper postage thereon pre-paid, to:

ALFRED KNIGHT

P.O.BOX 2635

TULSA, OKLAHOMA 74101-2635

PHIL ROUNDS

2800 FOURTH NT.BANK BLDG.

TULSA, OKLAHOMA 74119

CLASSIC FLOTATION SLEEP SYSTEMS

2618 WEST HIGHWAY 303

GRAND PRAIRIE, TX 75051

CLASSIC CORPORATION

8214 WELLNORE COURT

JESSUP, MARYLAND 20794

BEST SHOT, INC.,

d/b/a BEST SHOT WATERBEDS

10322 C EAST 58TH STREET

TULSA, OKLAHOMA 74146

Wm J. Dale

WILLIAM J. DALE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -1 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

MUELLER CO.,

Plaintiff,

vs.

HYDRANT REPAIR PARTS, INC.,

and

UTILITY SUPPLY COMPANY,

Defendants.

CIVIL ACTION NO. 86-C-24C

JOINT STIPULATION <sup>OF</sup> FOR DISMISSAL  
OF COMPLAINT AND COUNTERCLAIMS  
WITH PREJUDICE

Plaintiff, Mueller Co., and Defendants, Hydrant Repair Parts, Inc. and Utility Supply Company, hereby jointly stipulate that the Complaint and the Amended Counterclaims on file herewith may be dismissed with prejudice.

JOHN S. ATHENS  
J. DAVID JORGENSEN  
STEVEN K. BALMAN

2400 First National Tower  
Tulsa, Oklahoma 74103  
(918) 586-5711

GEORGE M. SIRILLA  
WILLIAM K. WEST, JR.  
SUSAN T. BROWN

1615 L Street, N.W.  
Washington, D.C. 20036  
(202) 861-3000

By

John S. Athens  
John S. Athens

Attorneys for Plaintiff  
Mueller Co.

OF COUNSEL:

CONNER & WINTERS  
2400 First National Tower  
Tulsa, Oklahoma 74103  
(918) 586-5711

CUSHMAN, DARBY & CUSHMAN  
1615 L Street, N.W.  
Washington, D.C. 20036  
(202) 861-3000

HOUSTON AND KLEIN, INC.

By

  
Marc F. Conley

3200 University Tower  
1722 South Carson  
P. O. Box 2967  
Tulsa, OK 74101-2967  
(918) 583-2131

Attorneys for Defendants  
Hydrant Repair Parts, Inc.  
and Utility Supply Company

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -1 1986

JACK C. SILVER, CLERK  
U.S. DISTRICT COURT

STEWART DEVELOPMENT, LTD.,  
an Oklahoma corporation,  
d/b/a CASTLE DISTRIBUTORS,

Plaintiff,

-vs-

CROWN LIFE INSURANCE COMPANY,


Defendant.

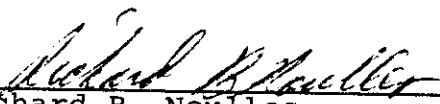
No. 85-C-400-C

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Stewart Development, Ltd., Plaintiff, and Crown Life Insurance Company, Defendant, hereby stipulate that this action may be and hereby is dismissed with prejudice to the refiling thereof, each party to bear his or its own costs.

DATED this 1st day of May, 1986.

  
\_\_\_\_\_  
Randolph P. Stainer  
ATTORNEY FOR PLAINTIFF, STEWART  
DEVELOPMENT, LTD.

  
\_\_\_\_\_  
Richard B. Nouilles  
ATTORNEY FOR DEFENDANT, CROWN LIFE  
INSURANCE COMPANY